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THE

LAWS OF WISCONSIN

PASSED AT THE BIENNIAL SESSION OF THE LEGISLATURE OF 1895.

TOGETHER WITH THE

JOINT RESOLUTIONS AND MEMORIALS,

ALSO

POST-OFFICE ADDRESS OF THE CIRCUIT JUDGES, AND TIMES AND PLACES FOR HOLDING CIRCUIT COURTS.

WITH

INDEX OF SESSION LAWS SINCE 1878.

Published by Authority.

MADISON, WISCONSIN,
DEMOCRAT PRINTING COMPANY, STATE PRINTER,
1895.

; 1970

LAWS OF WISCONSIN, 1895.

No. 1, A.] [Published Jan. 29, 1895.

CHAPTER 1.

AN ACT to amend chapter 3, of the laws of 1891, entitled, "An act relating to public printing, and amendatory of section 344, of chapter 20, of the revised statutes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1, of chapter 3, of the laws of 1891, entitled, "An act relating to public printing and amendatory of section 344, of chapter 20, of the revised statutes," is hereby amended by striking therefrom the word "Milwaukee" where the same first occurs in said section, and inserting in lieu thereof the word "Madison," and by striking therefrom the word "Milwaukee" where the same occurs second in the section, and before the word "Journal," in the thirteenth line thereof, and inserting in lieu thereof the words "Wisconsin State," so that the said section, when so amended, shall read as follows: Section 344. The legislature shall declare some newspaper, published at Madison, the official state paper, in which shall be officially published all the laws, advertisements, proclamations and communications of every nature, which may now or hereafter be required by law to be published in the official state paper. Any publication from either of the state departments in such paper shall be deemed official. Until a further designation is

Wisconsin State Journal made the official state paper.

made, The Wisconsin State Journal is declared to be the official state paper.

SECTION 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Jan. 25, 1895.

No. 39, S.] [Published Jan. 30, 1895.

CHAPTER 2.

AN ACT relating to circuit courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When another judge may be called to aid in trial of causes.

SECTION 1. Whenever the causes at issue and on the calendar at any term of a circuit court for any county in this state shall exceed one hundred in number, the judge holding such circuit court may enter an order that another circuit judge be called in to aid in the trial of causes. Thereupon any circuit judge of the state may, at the request of the judge holding the circuit, attend at such term, and both said judges may hold court and exercise all the powers of presiding judge, and try cases, separately, at the same time; provided, that both judges shall not try cases by jury at the same time.

Made his duty to attend when called on.

SECTION 2. It shall be the duty of any circuit judge upon an order and request made pursuant to the foregoing section, to attend and aid in the transaction of business at such term so far as the proper discharge of his duties in his own circuit shall permit him to do so.

Expenses to be paid by county.

SECTION 3. Whenever a circuit judge shall be required, pursuant to any law, to hold

court in any county outside of his circuit, the expenses of such judge while in the discharge of such duties shall be paid by the county treasurer of the county in which the court is held upon the certificate of the clerk of the circuit court in which such judge presides.

SECTION 4. This act shall be in force from and after its passage and publication.

Approved Jan. 30, 1895.

No. 56, S.] [Published Feb. 15, 1895.

CHAPTER 3.

AN ACT to alter and change the point of intersection of the Sheboygan, St. Paul and Central Railway with the Milwaukee and Northern Railway, and extending the time for the completion of that portion of said railway for which bonds in aid of construction were issued by the city of Sheboygan, Wisconsin, and also extending the time of the delivery of such bonds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The point of intersection or connection of the Sheboygan, St. Paul and Central Railway with the Milwaukee and Northern Railway, at or near Waldo, in the town of Lyndon, Sheboygan county, Wisconsin, as set forth in the proposition and petition of said Sheboygan, St. Paul and Central Railway company to the city of Sheboygan, and taxpayers of said city, is hereby changed from a point on the Milwaukee and Northern Railway, at or near Waldo, in the town of Lyndon, Sheboygan county, Wisconsin, to some point on the Milwaukee and Northern Railway south of Waldo, in Sheboygan county, Wisconsin. Point of intersection changed.

Time for construction changed.

SECTION 2. The time for the construction and completion of that portion of the line of railway of the Sheboygan, St. Paul and Central Railway, to aid in the construction of which the city of Sheboygan, Wisconsin, issued its municipal bonds, and the time of delivering such bonds out of escrow is hereby changed from the first day of July, 1895, the time fixed in the proposition of said railway to the city of Sheboygan, Wisconsin, for such aid and in its petition to the taxpayers of said city for such aid, to the thirty-first day of July, 1895.

Proposition of the railroad company to be binding as before change of time.

SECTION 3. When the proposition of the Sheboygan, St. Paul and Central Railway company to the city of Sheboygan, Wisconsin, for municipal aid, and its petition to the taxpayers of the city of Sheboygan, Wisconsin, for such municipal aid shall have been altered and changed as provided in sections one (1) and two (2) of this act, the said proposition for municipal aid and petition for such municipal aid shall have the same binding effect as though the original proposition and petition for municipal aid contained the alteration of place and time provided for in sections one (1) and two (2) of this act, and the bonds issued by the city of Sheboygan, Wisconsin, pursuant to such proposition and petition, are hereby declared to be of the same binding force and effect as though the original proposition for municipal aid, and the petition for such aid, contained the alterations and changes of place and time provided for by sections one (1) and two (2) of this act.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 15, 1895.

No. 14, S.] [Published Feb. 22, 1895.

CHAPTER 4.

AN ACT to appropriate to the Wisconsin State Fireman's Association a sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the Wisconsin State Fireman's Association, incorporated under the laws of the state of Wisconsin, the sum of fourteen hundred dollars, out of any moneys in the treasury not otherwise appropriated. This appropriation is made to cover the year 1895 and 1896, and shall be paid to said association in two annual equal payments, to-wit: In 1895 and 1896. $1,400 appropriated.

Section 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1895.

No. 72, S.] [Published Feb. 22, 1895.

CHAPTER 5.

AN ACT to appropriate a sum of money for monuments in National Park, Chickamauga, Tennessee, and to appoint additional commissioners.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. For the purpose of erecting suitable monuments upon the battlefield of Chickamauga (now a national park), commemorative $20,000 appropriated for monuments.

of the Wisconsin troops engaged in said battle September 19th and 20th, 1863, there is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of twenty thousand dollars ($20,000). This sum shall be for the purchase of a monument for each regiment of infantry and cavalry and battery of artillery engaged in said battle, which are as follows: 1st Regiment Wisconsin Volunteer Infantry, 10th Regiment Wisconsin Volunteer Infantry, 15th Regiment Wisconsin Volunteer Infantry, 21st Regiment Wisconsin Volunteer Infantry, 24th Regiment Wisconsin Volunteer Infantry, 1st Regiment Wisconsin Volunteer Cavalry, 3rd Wisconsin Battery, 5th Wisconsin Battery, 8th Wisconsin Battery. Provided, however, that Wisconsin granite shall be preferred for the monuments, at equal cost of similar qualities of granite from other states.

Two additional commissioners to be appointed by the governor.

SECTION 2. That the governor of this state be, and he is hereby authorized to appoint two additional commissioners to act with commissioners appointed under chapter 133, laws of 1893, whose duty it shall be to select monuments and have them placed in proper locations upon said battlefield previous to the dedication of such battlefield, September 19th, 1895.

SECTION 3. For the purpose of meeting the traveling and other necessary expenses of this commission, the sum of five hundred dollars ($500) is hereby appropriated, which sum shall be paid upon the presentation of proper vouchers, or so much of said money as may be necessary.

Shall make a report.

SECTION 4. Said commission shall report in writing to the governor as soon as their labors have been completed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1895.

No. 134, S.] [Published Feb. 23, 1895.

CHAPTER 6.

AN ACT to establish a police court in the city of Milwaukee.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Police court established.

SECTION 1. There is hereby constituted and established in the city of Milwaukee, a court to be known and called the police court of the city of Milwaukee. It shall be a court of record, and have a clerk, and a seal with suitable device, to be procured under the direction of the judge thereof, at the expense of the city of Milwaukee.

Term of office; when judge to be elected.

SECTION 2. On the first Tuesday of April, 1895, and on the same day of the same month each six years thereafter, the qualified electors of said city of Milwaukee shall elect, the same as they elect their city officers, a suitable person to the office of judge of said police court, to be called "police justice," who must be a resident of said city and an attorney-at-law, admitted to practice in the circuit court of Milwaukee county. Such police justice shall hold his office for the term of six years, from the first Monday of May next succeeding his election, and until his successor shall have been elected and qualified, and who may be removed from office for cause in the manner provided by law for the removal of justices of the peace. The resignation of the police justice shall be made to the governor of the state. Whenever a vacancy shall occur in the office of such justice from any cause whatever, the governor shall appoint a police justice, and the person so appointed shall hold for the residue of the term.

Vacancies, how filled.

Shall take and subscribe the oath of office.

SECTION 3. Before entering upon the duties of his office, the police justice shall take and subscribe the oath of office prescribed in the

constitution, which oath shall be filed in the office of the city clerk of the city of Milwaukee.

Jurisdiction.

SECTION 4. Said police court shall have exclusive jurisdiction to try and sentence all offenders against the ordinances of said city of Milwaukee, and it shall also have exclusive jurisdiction to try all misdemeanors arising in said city of Milwaukee and triable before a justice of the peace and to issue warrants for the apprehension of persons charged with the commission of offenses in said city of Milwaukee and not triable before a justice of the peace, and to examine such alleged offenders, and commit or hold them to bail, the same as a justice of the peace might otherwise do.

Jurisdiction defined.

SECTION 5. No justice of the peace or court commissioner in said city of Milwaukee shall exercise any jurisdiction in any criminal cases, but all such jurisdiction is vested in said police court, and all examinations, recognizances and commitments for trial from said police court, and from the other justices of the peace of the county of Milwaukee, in criminal cases not triable before justices of the peace, shall be certified, returned and made to the municipal court of the city and county of Milwaukee instead of the circuit court, at or before the time fixed for the appearance of the accused. All such cases shall thereafter be prosecuted and tried in said municipal court as provided by law in similar cases in the circuit court, and all general provisions of law relating to criminal actions, proceedings and examinations before justices of the peace shall apply to said police court so far as applicable.

Court to be held in Milwaukee.

SECTION 6. Said police court shall be held at the said city of Milwaukee, in some suitable place, to be provided and suitably furnished by said city, and it shall open for business every morning (Sundays and legal holidays excepted). In case of the absence, sickness or temporary disability of said police justice he may, by an order in writing, to be filed in said court, appoint a justice of the peace of said city to discharge the duties of said police justice during such absence, sickness or disabil-

Time.

ity, who shall have all the powers of said police justice while administering such office, and such justice of the peace shall receive for his services five dollars per day, to be paid by said city. Said police justice shall not voluntarily absent himself from the duties of his office more than thirty days in any one year, except from sickness.

Clerk of municipal court shall be ex-officio clerk of police court.

Duties of clerk defined.

SECTION 7. The clerk of the municipal court of the city and county of Milwaukee shall be ex-officio clerk of said police court. He, or one of his deputies shall be present during the sessions of said police court, and shall keep and have the care and custody of all records, books, and papers of the court, perform all ministerial acts required of him by and under the direction of the police justice, and when the court is not in session shall have power to take bail for the appearance of any person under arrest before the court subject to the revision of the court; he, or one of his deputies, may administer all necessary oaths, enter the judgments of the court, issue commitments and executions to enforce the same, and make up and keep the records of the court in all cases therein under the direction of the judge; he or one of his deputies, shall issue all process under his hand and the seal of the court, and attest it in the name of the judge, signing it by his title of office, and shall tax costs; he, or one of his deputies, may issue warrants upon complaint filed in writing, and upon oath in all cases. The complaints, warrants, recognizances, commitments, attachments, venires, subpoenas, and other writs and papers in said court shall be in substance in the form hitherto used in the municipal court of the city and county of Milwaukee. In city prosecutions, said clerk, or one of his deputies, shall enter upon the record of the court a statement of the offense charged, which shall stand as the complaint, unless the court shall direct a formal complaint to be made; and the defendant's plea shall be guilty or not guilty, and shall be entered as not guilty on failure to plead, which plea of not guilty shall put all matters

in such case at issue. Said clerk shall also, under the direction of the common council of said city, procure and furnish all the necessary blanks, stationery, book and paper cases, desks, record books, office furniture, lights and fuel for the use of said police court and its clerks, at the expense of said city. Such clerk and his deputies, and the police officers attending said police court and serving its processes shall receive no fees, and all costs collected in said court shall be paid into the city treasury as herein stated, and credited to the general fund, except as hereinafter provided.

Jury, how drawn.

SECTION 8. After issue joined and before trial in all cases cognizable before said police court the accused may demand a trial by a jury of not more than twelve nor less than six men, and shall designate the number at the time of the demand. The court shall then direct the clerk to proceed to draw in the presence of the jury commissioners of Milwaukee county, from the box containing the names of persons furnished by said jury commissioners to serve as petit jurors in the municipal court of the city and county of Milwaukee, twice the number of jurors demanded, and from the list so prepared by the clerk, the parties shall then alternately strike, the accused commencing, so many names as shall leave remaining the number demanded. A venire shall thereupon be issued, commanding the officer to summon those so remaining to appear before the court at such time as may be directed to make a jury for the trial of said action, and the court may compel their attendance by attachment. Either party may challenge any juror for cause, and deficiencies occasioned thereby, or by any other cause shall be supplied by talesmen to be selected and summoned by the officer. If no jury shall be demanded, it shall be deemed a waiver of a jury trial. If either party declines to strike from the list the names which he is entitled to strike, the court shall appoint some disinterested person to strike the same for such party. Each juror shall receive for his services the same fees allowed by law

to petit jurors in courts of record in said county, and the fees of such jurors shall be taxed as costs in said action. Witnesses and jurors shall attend before said court in all city and criminal prosecutions without any payment of fees in advance or a tender thereof, upon the processes of the court duly served, and in default thereof their attendance may be enforced by attachment. In case the jury after being kept a reasonable time should disagree, they shall be discharged, and thereupon the court shall adjourn the cause to a day certain, and issue a new venire as aforesaid.

Witnesses and jurors shall attend without pre-payment of fees.

SECTION 9. The sheriff of Milwaukee county shall be the officer of said police court, and shall serve its processes and carry into effect its orders and judgments, and the police officers of said city of Milwaukee may serve its processes in city prosecutions.

Sheriff of Milwaukee county shall be officer of the police court.

SECTION 10. Said police court is hereby authorized to appoint a phonographic reporter, skilled in the art of shorthand reporting, for such police court. The person so appointed shall be deemed an officer of the court, and before entering upon the duties of his office shall take and subscribe the constitutional oath of office and file the same duly certified in the office of the city clerk of said city of Milwaukee. Such reporter so appointed shall attend all the sessions of said police court, and shall report all preliminary examinations held before said court and report any other trial or proceeding which may be had before said court when directed by said police justice so to do. Said reporter shall receive a salary of nine hundred dollars per annum, payable monthly, at the end of each and every month by said city of Milwaukee. It shall be the duty of said reporter, at the request of any party, to transcribe in long hand the evidence of any proceeding or trial taken by him in said police court, or any part thereof, which transcript shall be duly certified by him to be correct, and for which he shall be entitled to receive from the party requesting the same, five cents per folio, when written out in full, and

Phonographic reporter to be appointed.

Salary $900 per annum.

Duties defined.

when at the request of the party it shall be written in narrative form, ten cents per folio. Said reporter shall be furnished all necessary stationery. Said court may in its discretion order a transcript of the evidence or proceedings, or any part thereof to be made and certified by the reporter, and filed with the clerk of the court, and the costs thereof, not exceeding five cents per folio, shall be paid upon certificate of said police justice, from the city treasury, in city prosecutions, and from the county treasury in all other criminal actions. It shall be the duty of such reporter to transcribe free of charge, and file as soon as may be, the charge of the court to the jury, and the evidence taken upon preliminary examinations, and in cases where the accused is committed to the Industrial School for Boys.

Shall be furnished requisite stationery.

Fines and penalties to be accounted for.

SECTION 11. All fines and penalties imposed by said police court, and the costs and fees of a trial, shall be payable to the clerk of said court, and it shall be his duty to account for and pay over to the treasurer of said city of Milwaukee, on the first Mondays of January, April, July and October, all fines, penalties, collections and other fees, except witnesses' fees collected, which may have come into his hands as such clerk up to the day of such payment, and shall also account for and pay over to said city treasurer on the first Mondays of January and July in each year all witnesses' fees which may have come to his hands as such clerk up to the day of payment which have not been paid to the persons entitled thereto, which witnesses' fees may thereafter be paid by said treasurer to such persons upon the certificate of said clerk specifying the name of the person entitled thereto, the amount due him and the title of the case in which he was a witness. The foregoing provisions shall not apply, however, to witness fees of members of the police department of the city of Milwaukee who may testify for the prosecution. It shall be the duty of the clerk to tax witness fees for such members, but when collected such witness fees shall be paid by the clerk to the

Witness fees, etc.

treasurer of the Policemen Relief Fund Association of the city of Milwaukee, on the first Mondays of January, April, July and October of each year.

Fines and penalties to be paid to treasurer of city.

SECTION 12. All fines and penalties collected in criminal cases and paid into the treasury of said city, shall be accounted for and paid over to the treasurer of said county annually at the time of paying over state and county taxes. The county of Milwaukee shall also, at the same time pay to the city of Milwaukee one-half of the salaries of the police justice and the phonographic reporter of said court, and one-half of the expenses of blanks, stationery, book and paper cases, desks, record books, office furniture, lights and fuel, used for said court and its clerks, and the other expenses of said court which may have been paid for by said city.

Continuances.

SECTION 13. In all cases brought before the police court, the court may, in its discretion, grant such continuances as may be necessary to the ends of public justice either with or without bail.

Salary $2,500 per annum.

SECTION 14. The salary of said police justice shall be two thousand five hundred dollars per annum, payable monthly, at the end of each and every month by the city of Milwaukee. The fees of the clerk, witnesses, jurors, sheriff and other officers, and the taxable costs of suit shall be the same as now in the municipal court of said city and county of Milwaukee in similar cases. In all cases before said police court, the costs shall be paid in criminal prosecutions in the name of the state, by the county of Milwaukee, and in the city prosecutions by the city of Milwaukee, when not otherwise collected, upon the certificate of the clerk of said court.

Costs and how paid.

Commitments to be to house of correction.

SECTION 15. All persons convicted in said police court who would otherwise be sentenced or committed to imprisonment in the county jail, shall be sentenced to imprisonment in the House of Correction in Milwaukee county, and the court may order the prisoner to be kept

therein at hard labor during the term of his imprisonment, if he shall have the ability to labor.

Appeal, how made.

SECTION 16. Every person convicted before said police court may appeal from the sentence or judgment against him to the municipal court of said city and county of Milwaukee, within the time and in manner as is now provided by law for appeals in criminal cases from justices of the peace of the county of Milwaukee. Said municipal court is empowered to hear, try and determine such appeals and all provisions of law relating to appeals in criminal cases from justices' courts, and the trial and determination thereof shall apply to appeals from said police court to the municipal court.

Date when business of court begins.

SECTION 17. On the first Monday of May, 1895, all actions, causes, pleadings, processes and proceedings, which may be pending in the municipal court of the city and county of Milwaukee in relation to any violations of the ordinances of said city, or of the laws of this state, in cases of crimes and misdemeanors not indictable arising in said city, and in relation to the examination of persons charged with the commission of an offense in said city, and not triable before a justice of the peace, shall on that day be transferred, returnable and continued to and become actions, proceedings and examinations in said police court, and such actions, proceedings and examinations shall, on and after that date, be deemed and treated as pending in said police court for all purposes, to the same extent, and with the same effect as if said actions, proceedings and examinations had been originally commenced and had in said police court, but until said first Monday of May, 1895, the jurisdiction and procedure of said municipal court shall continue unaffected by this act.

SECTION 18. All laws and provisions of laws contravening the provisions of this act are hereby repealed.

SECTION 19. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1895.

No. 135, S.] [Published Feb. 26, 1895.

CHAPTER 7.

AN ACT to amend sections 2499, 2502, 2505, 2506, 2507, 2509, 2511 and 2513, of the annotated statutes of Wisconsin, and to repeal section 2501, of said statutes, chapter 228, 265, 294, and 338 of the laws of 1891, and chapter 257, of the laws of 1893, all relating to the municipal court of the city and county of Milwaukee.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Municipal court laws amended.

Court established and its jurisdiction.

SECTION 1. Section 2499, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: The municipal court of the city and county of Milwaukee as heretofore established is continued. It shall be a court of record and have a clerk, and a seal with suitable device to be procured under the direction of the judge thereof at the expense of the city of Milwaukee. It has and may exercise powers and jurisdiction concurrent and equal with the circuit court of Milwaukee county in all cases of crimes and misdemeanors arising in said county, and exclusive appellate jurisdiction of all crimes and misdemeanors tried before the police court of the city of Milwaukee, and before justices of the peace in said county in the same manner as is provided by law for appeals to the circuit court in such cases. All examinations, recognizances and commitments for trial in cases

of crime and misdemeanors arising in towns of said county and not triable before justices of the peace, shall be certified, returned or made to the municipal court of said county instead of to the circuit court of said county, and all such cases shall thereafter be proceeded in and tried in said municipal court as provided by law in similar cases in the circuit court. Said municipal court has also jurisdiction of all actions brought for breach of any recognizance returned to or given in said court; but no judgment in any such action shall constitute a lien upon real estate in said county until a transcript thereof is duly docketed in the office of the clerk of the circuit court of said county, in like manner as judgments of circuit courts in civil cases are required to be docketed, and when so docketed it shall have the same lien upon real estate in said county as judgments of the circuit court so docketed have. The judgments of the municipal court in all cases tried before it may be examined and reviewed by the supreme court in the same manner as the judgments of the circuit court be. No grand jury shall hereafter be drawn or summoned for the circuit court of Milwaukee county, and grand jurors shall not be summoned to attend any term of said municipal court unless the judge thereof shall make and file with the clerk an order in writing directing a grand jury to be summoned, and specifying the time at which such grand jury shall appear before the court. Grand juries, when ordered, shall be drawn and summoned as provided in chapter 116, of the annotated statutes. To carry out its jurisdiction, such municipal court shall have all the powers of circuit courts, and the municipal judge shall have the same powers in all matters appertaining to the jurisdiction of said municipal court as circuit judges.

Election of judge, when held.

SECTION 2. Section 2502. The qualified electors of the city and county of Milwaukee shall, on the first Tuesday of April, A. D. one thousand eight hundred and ninety-five, and on the same day of the same month each six years thereafter, elect a suitable person to the

office of judge of said municipal court to be called the "municipal judge," who shall hold his office for the term of six years from the first Monday of January next succeeding such election, and until his successor is elected and qualified, who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit judges. Said electors, on the first Tuesday of April, A. D. one thousand eight hundred and ninety-five, and the same day, in the same month each six years thereafter, shall elect a suitable person to the office of clerk of the municipal court, who shall hold his office for the term of six years from the first Monday of January next succeeding his election, and until his successor is elected and qualified. If a vacancy shall happen in the office of judge of said court, the governor shall appoint to fill the vacancy until a successor is elected. Elections to fill such vacancies shall be held as provided in section eighty-eight, and notice thereof shall be given by the sheriff of Milwaukee county in the same manner as for the election of county officers. If a vacancy shall happen in the office of clerk, the judge of said court shall appoint to fill the same. All vacancies so filled shall be for the residue of the term only. All such elections shall be held and conducted and the votes cast shall be returned and canvassed, and the certificates of election shall be given in all respects as is provided by law in case of the election of county judges.

Term of office

Election of clerk.

SECTION 3. Section 2505, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2505. Said clerk may appoint three deputy clerks, either of whom may perform the clerk's duties in his absence from his office, and for whose acts said clerk and the sureties upon his official bond shall be liable. The appointments shall be in writing, shall be subject to the approval of the municipal judge, and shall be filed in said court, and may be revoked at the pleasure of the judge or clerk. Each of such deputies before entering upon his duties shall take and

Clerk may appoint deputies.

subscribe the oath of office prescribed in the constitution, which oath shall be filed in the office of the city clerk of the city of Milwaukee. In case of a vacancy in the office of the clerk for any reason, the deputy designated by the judge for that purpose shall perform the duties of clerk until the vacancy is filled.

Duties of clerk and his deputies defined.

SECTION 4. Section 2506, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2506. The clerk of said court shall have the care and custody of all books, papers and records of the courts; he, or one of his deputies shall be present at all trials and proceedings held in said court; he, or one of his deputies may administer all necessary oaths, and may take and certify the acknowledgments of all deeds, and other instruments required or authorized to be acknowledged; he, or one of his deputies shall keep minutes of all proceedings, enter judgments, issue the commitments and executions to enforce the same, and make up and keep the records of the court in all cases therein under the direction of the judge; he, or one of his deputies shall issue all processes under his hand and the seal of the court, and attest in the name of the judge, signing it by his title of office, and shall tax costs. Such clerk shall also, under the direction of the common council of said city, procure and furnish all necessary blanks, stationery, book and paper cases, desks, record books, office furniture, lights and fuel, for the use of said court and its clerks, at the expense of said city. He may be removed from office by the municipal judge for incompetency, failure to pay over moneys as required by law, or other official misconduct, or wilful or habitual neglect to perform the duties of his office. On such removal such judge may appoint some suitable person to fill the vacancy until it is filled by election, unless it occurs within twenty days before or after the first Tuesday of April, and then for the residue of the term, and the person so appointed shall have all the powers, and be subject to all the duties and liabilities of such clerk. Such clerk

shall account for, and pay over to the treasurer of said city, on the first Mondays of January, April, July, and October all fines, penalties, collections and other fees, except witnesses' fees collected and other moneys belonging to the treasury of the city and county of Milwaukee, which may have come into his hands as such clerk up to the day of such payment, and shall also account for and pay over to said city treasurer on the first Mondays of January and July in each year all witnesses' fees which may have come to his hands as such clerk, up to the day of payment, and which have not been paid to the persons entitled thereto, which witnesses' fees may be paid by said treasurer to such persons, upon the certificate of said clerk, specifying the name of the person entitled thereto, the amount due him, and the title of the cause in which he was a witness. The foregoing provisions shall not apply, however, to witness fees of members of the police department of the city of Milwaukee, who may testify for the prosecution. Such witness fees shall be taxed, and when collected shall be paid by the clerk to the treasurer of the Policemen Relief Association of said city on the first Mondays of January, April, July and October of each year.

Terms of court, when and where held.

SECTION 5. Section 2507, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2507. Said municipal court shall be held at the city of Milwaukee, in some suitable place, to be provided and suitably furnished by said city. The terms of the said municipal court shall be held on the first Monday of February, the first Monday of April, the first Monday of June, the first Monday of October, and the first Monday of December, in each year. The jury shall be summoned for the first day of each of said terms, unless otherwise ordered by the said court. Any trial, hearing, argument or proceeding which shall have been commenced during any term, but shall not have been concluded before the commencement of the next term, shall be continued and proceeded with

at said next term in the same manner, and with like effect, as though it had been commenced at that term. The district attorney of Milwaukee county shall be the prosecuting officer in all criminal cases, and the city attorney in all city prosecutions in said court.

Change of place of trial, when and how had.

SECTION 6. Section 2509, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2509. Whenever a change of the place of trial of any action pending in said court shall be applied for on account of the prejudice of the judge thereof, or whenever the judge of said court shall be interested in any civil cause or action depending upon the same state of facts that any criminal action is based upon, or shall be related to the defendant, or complaining witness, or shall have been of counsel for either of them, or shall be otherwise disqualified to try the cause, said municipal court may, in its discretion, either change the place of trial of such action to the circuit court of Milwaukee county, unless it shall be made to appear that the circuit court judge is also prejudiced or disqualified for any reason to try such cause, in which case it shall be changed to some county where such prejudice or disqualification does not exist, or in lieu of changing the place of trial may make an order retaining such action in said municipal court for thirty days from the date of such order, and, in the meantime, shall call upon the circuit judge of any circuit in this state to attend and hold court for the purposes of trying such action. And if such other judge can so attend and hold court for such purpose, the same shall be done with the same effect as if a change of venue to the circuit court of Milwaukee county, or any other county, and a trial therein had occurred in said action. But if no circuit judge shall so attend and assume jurisdiction of such action within said thirty days, then an order for a change of the place of trial shall be entered in such action on the last day of said thirty days, and thereupon such change shall be made to the circuit court of Milwaukee county, or some other

county as herein above provided. The expense of the judge requested and holding the court as aforesaid, shall be paid by the county of Milwaukee. Whenever such change of the place of trial shall be applied for by one or more, but not all of the several defendants in any indictment or information, or any case where a separate trial has not been previously awarded to the defendant or defendants making such application, the court in every case where it is adjudged that the place of trial be changed to the circuit court of Milwaukee county, or of any other county, shall order the change of the place of trial as to all of the defendants named in such indictment or information, in the same manner, and with like effect as if all had joined in such application; and whenever in any case the place of trial is changed to the circuit court of Milwaukee county, or of any other county from the municipal court, at any time when a term of such circuit court is being held, the recognizance of the accused and the witnesses, required by law, shall be for their appearance at such term; otherwise, for their appearance at the next term of such circuit court. When another judge is called as herein provided and shall attend and hold court for the purpose of trying any action in said municipal court, the judge of said municipal court may also hold court at the same time and exercise all the powers of presiding judge, and may try cases by jury.

Circuit judge may hold court, when.

SECTION 7. Section 2511, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2511. Any circuit judge may hold court as judge of said municipal court in case of the absence, sickness, or other disability, or upon request of the judge of municipal court, and while so doing such circuit judge shall have the same powers as if elected judge of said municipal court. The judge of said municipal court may hold court for the trial of criminal cases in any county other than the county of Milwaukee upon the request of the circuit judge of such other county, and while so doing he shall have

the same powers in criminal matters as if elected for the county in which he is acting.

Salary of judge and clerks.

SECTION 8. Section 2513, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 2513. The salary of the judge of said municipal court shall be three thousand six hundred dollars per annum, of said clerk, three thousand dollars per annum, and of the three deputy clerks, eighteen hundred dollars per annum, twelve hundred dollars per annum, twelve hundred dollars per annum, respectively, all payable monthly, at the end of each and every month by the city of Milwaukee. The fees of the clerk, witnesses, jurors, sheriff, and other officers, and taxable costs of suit shall be the same as in the circuit courts, and in criminal prosecutions in the name of the state the costs shall be paid by the county, and in city prosecutions by the city, when not otherwise collected, upon the certificate of the clerk as in circuit courts.

Jury law shall apply to municipal court.

SECTION 9. All the provisions of law relating to and regulating the manner of selecting, drawing and summoning petit jurors for the circuit court of Milwaukee county, shall relate and apply also to said municipal court.

Acts repealed.

SECTION 10. Section 2501, of the annotated statutes of Wisconsin, chapter 228, of the laws of 1891, entitled, "An act to amend section 2507, chapter 115, of the revised statutes, relating to the municipal court of the county of Milwaukee," chapter 265, of the laws of 1891, entitled, "An act to amend section 2501, revised statutes, 1878, as amended by section 3, chapter 256, of the laws of 1879, and pertaining to the municipal court for Milwaukee county," chapter 294, of the laws of 1891, entitled, "An act to amend section 2511, of the revised statutes for 1878, as amended by section 4, of chapter 256, laws of 1879, and pertaining to the municipal court of the city and county of Milwaukee," chapter 338, of the laws of 1891, entitled, "An act to amend section 2513, of the revised statutes, as amended by chapter 200, laws of 1879, as amended by chapter 378, laws of 1887, relat-

ing to the municipal court of Milwaukee county," and chapter 257, of the laws of 1893, entitled, "An act to amend sections 2505, 2506 and 2513 of chapter 115, of the annotated statutes of Wisconsin, entitled, 'of other courts of record,' and relating to the municipal court for Milwaukee county," and all other acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 21, 1895.

No. 412, S.] [Published Feb. 26, 1895.

CHAPTER 8.

AN ACT amendatory of and supplementary to chapter 7, laws of 1895, entitled, "An act to amend sections 2499, 2502, 2505, 2507, 2509, 2511 and 2513, revised statutes, and to repeal section 2501, revised statutes, and chapters 228, 265, 294 and 338, laws of 1891, and chapter 257, laws of 1893," all relating to the municipal court for Milwaukee county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 11, of chapter 7, laws of 1895, is hereby amended so as to read as follows: "Section 11. Section 2, of this act shall take effect and be in force from and after its passage and publication, and all of the other sections, portions and provisions of this act shall take effect and be in force from and after the first Monday in May, 1895." Act of 1895 amended as to when to take effect.

SECTION 2. This act is amendatory of and supplementary to said chapter 7, laws of 1895, and is for the purpose of preventing the taking

effect and operation of said chapter 7, laws of 1895, except section 2, thereof, until the first Monday in May, 1895, anything in said chapter 7, laws of 1895, to the contrary notwithstanding.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 26, 1895.

No. 7, S.] [Published March 1, 1895.

CHAPTER 9.

AN ACT to amend section 2732, of the revised statutes of Wisconsin for the year 1878, relating to undertakings on attachments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Undertaking, and what to contain.

SECTION 1. Section 2732, of the revised statutes of 1878 is hereby amended by adding thereto the following words, to-wit: "Provided, that no undertaking shall be necessary in any action wherein the state of Wisconsin or any county, town or other municipality shall be plaintiff," so that said section when amended shall read as follows: Section 2732. Before the writ of attachment shall be executed, a written undertaking on the part of the plaintiff, with sufficient surety, shall be delivered to the officer, to the effect that if the defendant recover judgment, the plaintiff shall pay all costs that may be awarded to the defendant, and all damages which he may sustain, by reason of the writ of attachment, not exceeding the sum specified in the undertaking, which sum shall not be less than two hundred and fifty dollars. The surety shall justify his responsibility, by affidavit, annexed

Surety to justify.

to such undertaking, stating that he is a resident, and householder or freeholder, within the state, and is worth the sum specified in the undertaking, in property within the state, over and above all his debts, and exclusive of all property exempt from execution. Provided, that no undertaking shall be necessary in any action wherein the state of Wisconsin or any county, town or other municipality shall be plaintiff.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 15, S.] [Published March 1, 1895.

CHAPTER 10.

AN ACT directing the state treasurer to refund certain moneys, paid as penalty, to Washburn county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. "Whereas, By reason of the closing of the doors of the Shell Lake Savings Bank, the 7th day of June, 1893, the county of Washburn was deprived of the use of its funds, being a depositor of said bank;" and, County deprived of its funds.

"Whereas, The state tax payable from said county of Washburn to the state of Wisconsin, for the year of 1892, was among the funds so deposited by said county in said bank;" and, State tax tied up.

"Whereas, By reason of the suspension of said bank, the said county was unable to pay said tax to the state when it became due;" and,

Penalty collected.

"Whereas, The state treasurer caused the county clerk of said county to levy upon and collect as a penalty from the taxable property of said county, in addition to all other taxes collected, the sum of $1,417.83, fourteen hundred seventeen dollars and eighty-three cents;" and,

Amount of penalty paid.

"Whereas, The said sum of $1,417.83, fourteen hundred seventeen dollars and eighty-three cents, so levied and collected as aforesaid, was paid into the state treasury as a penalty, and not otherwise;" and,

Tax for penalty was levied and collected.

"Whereas, Said county was obliged to levy and collect during the year 1893, in addition to its state, county and school taxes, the said sum of $1,417.83, fourteen hundred seventeen dollars and eighty-three cents, the aforesaid penalty, and the further sum of $14,178.35, fourteen thousand one hundred seventy-eight dollars and thirty-five cents, the same being a sum equal to the state tax for the year 1892;" and,

"Whereas, The said Washburn county has never received any of the said sums so deposited in said bank, at the time of its, the said bank's, suspension;" and,

"Whereas, All of the state tax and penalty so required by the state treasurer to be paid, has been levied, collected and paid into the treasury of said state."

Appropriation, $1,417.83.

SECTION 1. "That there is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of $1,417.83, fourteen hundred seventeen dollars and eighty-three cents, to be paid to the treasurer of Washburn county."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 20, S.] [Published March 1, 1895.

CHAPTER 11.

AN ACT to amend chapter 241, laws of 1887, entitled, "An act to provide that the mortgagor of a stock of goods or stock in trade, shall be required to file an inventory of sales and additions to his stock every sixty days."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Inventory of sales and additions to stock to be made every sixty days.

SECTION 1. Section 1, of chapter 241, laws of 1887, is hereby amended by adding at the end thereof the following words: "And the mortgage shall cover and be a valid lien upon the property so acquired after its execution, for the amount of the indebtedness remaining unpaid thereon," so that said section when amended shall read as follows: "Section 1. The mortgagor of any stock of goods or stock in trade retained in possession, out of which the mortgagor is permitted to make sales and apply the proceeds upon an indebtedness existing between the mortgagor and the mortgagee, shall file a statement in writing of sales made and the amounts to be applied on such mortgage debt and the total valuation of stock added every sixty days from the date of such mortgage, with the town or city clerk or other public custodian of such mortgage, and the mortgage shall cover and be a valid lien upon the property so acquired after its execution, for the amount of the indebtedness remaining unpaid thereon."

Approved Feb. 27, 1895.

No. 55, S.] [Published March 1, 1895.

CHAPTER 12.

AN ACT to amend section 5, of chapter 305, of the laws of 1887, as amended by section 5, chapter 296, of the laws of 1891, relating to the organization of local insurance companies in the cities and villages of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to jurisdiction of local insurance companies.

SECTION 1. Section 5, of said act is hereby amended by striking out the words, "one adjoining county," where they occur in said section, and inserting in lieu thereof the words, "counties adjoining the county in which such corporation was first organized," so that said section when so amended shall read as follows: Section 5. No such corporation shall insure any property out of the city or village in which said corporation is located, except that by a resolution adopted by a majority of the members of said corporation at an annual meeting, may vote to insure in other villages and cities of the county in which said corporation is located, and also in cities and villages of counties adjoining the county in which such corporation was first organized; and no such corporation shall insure any property other than dwellings, barns, stables and sheds, and the contents of such buildings, except as may be provided in the constitution or by-laws; but in no case shall the amount insured exceed two thousand dollars on any one risk.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 173, S.] [Published March 1, 1895.

CHAPTER 13.

AN ACT to legalize the action of the town of Melrose, in the county of Jackson, bonding said town to construct two iron bridges across Black river, at Gaylord's Ferry and North Bend; and to authorize said town to borrow money and issue its negotiable bonds therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Action of electors in bond matters legalized.

SECTION 1. The action of the electors of the town of Melrose, in the county of Jackson, at the special town meeting of said town, held herein on the 20th day of December, A. D. 1893, and all things done by the town board of officers thereof, with reference to said meeting by which it was intended, as appears by the records of said meeting, to authorize said town to borrow money and issue its corporte negotiable bonds, for the sum of five thousand dollars, for the purpose of erecting and constructing two iron bridges across Black river, at Gaylord's Ferry and North Bend, are hereby ratified and confirmed, and declared in all respects legal and binding upon said town.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 55, S.] [Published March 1, 1895.

CHAPTER 12.

AN ACT to amend section 5, of chapter 305, of the laws of 1887, as amended by section 5, chapter 296, of the laws of 1891, relating to the organization of local insurance companies in the cities and villages of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to jurisdiction of local insurance companies.

SECTION 1. Section 5, of said act is hereby amended by striking out the words, "one adjoining county," where they occur in said section, and inserting in lieu thereof the words, "counties adjoining the county in which such corporation was first organized," so that said section when so amended shall read as follows: Section 5. No such corporation shall insure any property out of the city or village in which said corporation is located, except that by a resolution adopted by a majority of the members of said corporation at an annual meeting, may vote to insure in other villages and cities of the county in which said corporation is located, and also in cities and villages of counties adjoining the county in which such corporation was first organized; and no such corporation shall insure any property other than dwellings, barns, stables and sheds, and the contents of such buildings, except as may be provided in the constitution or by-laws; but in no case shall the amount insured exceed two thousand dollars on any one risk.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 173, S.] [Published March 1, 1895.

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AN ACT to legalize the action of the town of Melrose, in the county of Jackson, bonding said town to construct two iron bridges across Black river, at Gaylord's Ferry and North Bend; and to authorize said town to borrow money and issue its negotiable bonds therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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SECTION 1. The action of the electors of the town of Melrose, in the county of Jackson, at the special town meeting of said town, held herein on the 20th day of December, A. D. 1893, and all things done by the town board of officers thereof, with reference to said meeting by which it was intended, as appears by the records of said meeting, to authorize said town to borrow money and issue its corporte negotiable bonds, for the sum of five thousand dollars, for the purpose of erecting and constructing two iron bridges across Black river, at Gaylord's Ferry and North Bend, are hereby ratified and confirmed, and declared in all respects legal and binding upon said town.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 66, A.] [Published March 1, 1895.

CHAPTER 14.

AN ACT to amend section 1389, of the revised statutes of the state of Wisconsin for the year 1878, relating to fence viewers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Who are fence-viewers.

SECTION 1. Section 1389 of the revised statutes of Wisconsin for the year 1878, is hereby amended so as to read as follows: Section 1389. The supervisors in their respective towns, the aldermen of cities in their respective wards, and the trustees of villages in their respective villages, shall be fence viewers.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved Feb. 27, 1895.

No. 150, A.] [Published March 2, 1895.

CHAPTER 15.

AN ACT to change the time of holding the May term of the circuit court for Waukesha county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Time for holding terms of court changed.

SECTION 1. Section 2, of chapter 55, of the laws of 1882, is hereby amended so as to read as follows: Section 2. The general terms of the circuit court for the thirteenth judicial circuit shall be held as follows: In the county of Washington, on the third Tuesday in October

and the third Tuesday in March. In the county of Ozaukee on the first Tuesday in September and the first Tuesday in March. In the county of Dodge on the fourth Tuesday in September and the second Tuesday in February. In the county of Waukesha on the first Tuesday of December and the first Monday in May. Special terms for the county of Waukesha shall be held on the fourth Tuesday in August and the first Tuesday in February, but no jury shall be summoned for such special terms.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 1, 1895.

No. 410, S.] [Published March 6, 1895.

CHAPTER 16.

AN ACT to amend section 2, of chapter 123, general laws of 1878, being an act to amend an act entitled, "An act to incorporate Lawrence institute," of private and local laws of the territory of Wisconsin for 1847.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2, of chapter 123, general laws of 1878, is hereby amended so as to read as follows: Section 2. The West Wisconsin Conference of the M. E. church, shall, at its next annual meeting, elect by ballot six visitors to the Lawrence University of Wisconsin, two of whom shall serve for the term of one year, two for the term of two years, and two for the term of three years; and annually thereafter said conference shall elect, in like

Terms of visitors defined.

manner, two visitors to the said University, who shall serve for the term of three years.

SECTION 2. This act shall take effect from and after its passage.

Approved March 5, 1895.

No 267, S.] [Published March 9, 1895.

CHAPTER 17.

AN ACT to create municipal court for the county of Manitowoc.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Municipal court established.

SECTION 1. There is hereby created and established in and for the county of Manitowoc a municipal court, to be known and designated as the municipal court of Manitowoc county, with the powers and jurisdiction hereinafter specified and provided.

Date of first election, how conducted and held.

SECTION 2. On the first Tuesday in April, 1895, there shall be elected in the county of Manitowoc, a judge of the municipal court, who shall hold his office for the term of two years from the first Monday in May following his election, and until his successor is elected and qualified; for the purposes of said election, the county clerk of said county shall make out a notice in writing, stating that on the said first Tuesday in April a judge of the municipal court for said county is to be elected, and shall cause the same to be delivered to each city, village and town clerk in said county at least four days before said election; immediately upon receipt of said notice, the said city, village or town clerks shall give nctice to the city, village or town electors respectively, by posting notices in three conspicuous places in each ward of the cities

and in each of the villages and towns aforesaid, stating the time and place at which such election is to be held and that a judge of the municipal court for said county is then to be elected; nomination papers for said office, substantially in form and manner as now provided by law for county judges, shall be filed in the office of the county clerk at least four days before said election; the names of the candidates for said office shall be placed upon the ballots to be used at said election for voting for an associate justice of the supreme court, similar in manner and form as names of nominees for county judge are required to be placed thereon; and the counting, return and canvass of the votes cast at such judicial election for the office of judge of the municipal court shall be made and conducted in substantially the same manner and form as by law provided in the case of county judges. On the first Tuesday of April, 1897, and every four years thereafter there shall be elected in the county of Manitowoc, in the same manner as county judges are elected, a judge of the municipal court who shall hold his office for the term of four years from the first Monday in May following his election and until his successor is elected and qualified. In case of a vacancy in the office of said judge of the municipal court, the same shall be filled by appointment by the governor, and the appointee shall continue in office for the residue of the term for which his predecessor was elected.

Term of office.

SECTION 3. No person shall be eligible to the office of judge of said municipal court except an attorney of a court of record, who shall be a qualified elector of said county, and during his term of office said judge shall not practice his profession in any of the courts of said county, but shall devote his entire time to the duties of his said office.

Who is eligible to hold office.

SECTION 4. The said judge, before entering upon the duties of his office, shall take and subscribe the constitutional oath of office and file the same in the office of the clerk of the circuit court for said county, and shall execute

Shall take constitutional oath.

to said county a bond in the sum of three thousand dollars ($3,000), with two or more sureties to be approved by the county treasurer of said county, and recorded and filed as provided in section 702, of the revised statutes, conditioned for the faithful performance of the duties required of him by law and for the faithful and prompt application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office. And said judge shall be subject to the same prohibitions and penalties as justices of the peace.

Jurisdiction of municipal judge defined.

SECTION 5. The judge of said municipal court shall have all the jurisdiction, authority, powers and rights given by law to justices of the peace in criminal actions; he shall have jurisdiction to hear, try and determine all criminal actions arising within said county which are not punishable by commitment to the state prison, and shall have power to sentence and commit all persons convicted of any offense of which he has jurisdiction; he shall have power and jurisdiction throughout said county to institute and conduct examinations in all criminal cases occurring in said county, including bastardy, and to arrest and examine and hold to bail, all persons charged with other offenses against the laws of this state, as provided by law; on a plea of guilty by the accused, the said judge shall have jurisdiction to sentence the accused for an offense for which the highest penalty shall not exceed five years' imprisonment in the state prison; and no justice of the peace, police justice or court commissioner within said county shall exercise any jurisdiction in criminal cases, except that in cases of felony, justices of the peace may issue warrants returnable before the judge of said municipal court, and when so doing, they shall cause the complaint in such action to be forthwith filed in said criminal court.

Further jurisdiction defined.

SECTION 6. The judge of said municipal court shall have all other jurisdiction, authority, powers, and rights given by law to justices of the peace. He shall have cognizance of and

jurisdiction to hear, try and determine all actions and proceedings at law wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars ($500), and also of actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of property claimed shall not exceed the sum of five hundred dollars ($500), exclusive of damages. Judgment may be rendered in said municipal court by confession for any sum not exceeding one thousand dollars ($1,000) in the manner provided by statute. Said municipal court shall also have jurisdiction to hear, try and determine all actions arising under chapter 145, of the revised statutes, when the amount claimed shall not exceed five hundred dollars ($500).

Dockets to be kept.

SECTION 7. The said judge shall keep one docket for criminal trials and proceedings and a separate docket for civil actions in the same manner, as far as applicable, as dockets of justices of the peace are required to be kept. The practice and procedure in said court, so far as practicable, shall comply with the laws relating to justice courts. Trial by jury may be had in the same manner and process as in justices' courts. Said judge shall have the power and right in his discretion to charge the jury upon written instructions. Appeals may be taken in the same manner and with like effect as from courts of justices of the peace. Transcripts of judgments of said municipal court may be filed and docketed with the clerk of the circuit court for said county with the same effect as may be transcripts of judgments rendered by justices of the peace of said county.

Trial by jury.

Actions, how removed, may call in county judge—when.

SECTION 8. No action shall be removed from said municipal court for trial; but when it shall appear that the judge thereof is disqualified by reason of prejudice or other cause to try any action, he shall, and if by reason of absence, sickness or temporary disability he is unable to perform his duties, he may, by order in writing, to be filed in said court, call in the judge of the county court of said county, and

in case of the latter's inability to respond, any court commissioner of aforesaid county, to try the same or act in his stead; and said county judge or said court commissioner is hereby authorized to act as judge of said municipal court, in such action, and during the absence, sickness or disability of the judge thereof; and when so acting shall have and possess all the powers and authority, and may perform and discharge all the duties imposed by law upon the judge of said municipal court.

Clerk to be appointed, and reporter.

SECTION 9. Said judge shall appoint in writing a clerk of said court, who shall also act as reporter thereof and make and keep the records of the said court and perform such other ministerial duties as the said judge may require of him. Sections 2439 and 4141, of the annotated statutes shall apply to said reporter and to transcribed copies of testimony and proceedings taken by him. The said clerk and reporter shall hold his office at the pleasure of said judge and shall receive such salary for his services as the county board of said county may from time to time determine.

Sheriffs and constables of Manitowoc county to have power to serve process.

SECTION 10. Sheriffs and constables of Manitowoc county shall have power to serve and execute process of said municipal court, and shall be entitled to receive the same fees therefor as in justice's courts; and policemen of the cities of Manitowoc and Two Rivers, and of the villages of Kiel and Reedsville, shall also have power to serve and execute process of said court in all actions arising within their respective cities and villages, and shall be entitled to receive the same fees therefor as constables in justice court. Said judge shall also tax as costs in favor of the party recovering judgment the fees provided in section 3775, of the revised statutes, except that when the amount of judgment is for two hundred dollars ($200) or over the amount of attorney's fee shall be twenty dollars ($20).

Collection of fees, fines, penalties.

SECTION 11. It shall be lawful for the judge of said municipal court to charge and collect the same fees in all actions in his court as are allowed by law to justices of the peace. Said

judge shall keep, in a separate book provided therefor, an itemized account of all moneys received by him by virtue of his office, which said book shall be a part of said court's records. All fees, fines and penalties, by him collected, it shall be his duty to pay over, at the end of each month, to the treasurer of Manitowoc county, taking a receipt therefor, which receipt, together with an itemized statement of the amount so paid, he shall file in the office of the county clerk of said county.

Court to be held at county seat.

SECTION 12. The judge of said municipal court shall daily hold his court at the county seat of said county, in some suitable room or building to be provided, furnished and supplied at the expense of said county under the direction of the county board thereof; provided, that said judge shall have power and authority to adjourn the hearing of any action to any other place in said county when, in his opinion, the costs of said action will be materially lessened thereby; and provided further, that said judge shall at least once in each month, hold his said court in the city of Two Rivers, in said county; said city shall provide and furnish him a suitable room and office supplies for that purpose.

May provide seal.

SECTION 13. Said municipal judge may provide a seal for said court, and all papers, depositions, certificates, acknowledgments, examinations and other documents executed or signed by said judge when sealed with the seal of said court shall be evidence in all courts and places of this state and shall have the same effect as the seal of a court of record.

Salary $1,500.

SECTION 14. Until the county board of said county shall, by resolution, otherwise order, the said judge shall receive as compensation a salary of fifteen hundred dollars ($1,500) per annum, to be paid monthly from the treasury of Manitowoc county.

SECTION 15. This act shall take effect and be in force from and after its passage and publication.

Approved March 7, 1895.

No. 131, S.] [Published March 9, 1895.

CHAPTER 18.

AN ACT relating to the adoption of children and amendatory of section 4022 of chapter 173, of the revised statutes, as amended by section 2, of chapter 45, of the laws of 1887.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regarding the adoption of minor children, procedure.

SECTION 1. Section 4022, of the revised statutes, as amended by section 2, of chapter 45, of the laws of 1887, is hereby amended by inserting after the word "child" in the eleventh line of said section the following: Provided, that unless the living parent or parents of a minor consent to such adoption, it shall be the duty of the court having jurisdiction of the proceedings, upon the filing of any petition for adoption, by order to appoint a time and place for hearing such petition, and cause notice of such time and place to be given to such parent or parents, by personal service of said notice on such parent or parents at least ten days before the hearing, or by publication thereof in a newspaper, as provided by law, at least three weeks successively prior to said hearing, and when notice is duly given as herein provided, the parent of any minor shall be bound by the order of adoption as fully as though he had consented thereto. So that said section as amended shall read as follows: Section 4022. No such adoption shall be made without the written consent of the living parents of such child, unless the court shall find that one of the parents has abandoned the child, or gone to parts unknown, when such consent may be given by the parents, if any, having the care of the child. In case where neither of the parents is living, of if living, have abandoned the child, such consent may be given by the guardian of such child,

if any. If such child has no guardian, such consent may be given by any of the next of kin of such child residing in this state, or, in the discretion of the court, by some suitable person to be appointed by the court. In case of a child not born in lawful wedlock, such consent may be given by the mother, if she is living and has not abandoned such child. Provided, that unless the living parent or parents of a minor consent to such adoption, it shall be the duty of the court having jurisdiction of the proceedings, upon the filing of any petition for adoption, by order to appoint a time and place for hearing such petition, and cause notice of such time and place to be given to such parent or parents, by personal service of said notice on such parent or parents, at least ten days before the hearing, or by publication thereof in a newspaper, as provided by law, at least three weeks successively prior to said hearing, and when notice is duly given as herein provided, the parent of any minor shall be bound by the order of adoption as fully as though he had consented thereto. And in case such child has arrived at the age of twenty-one years, such consent may be given by such child alone, and the consent of no other person in behalf of such child shall be required.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 7, 1895.

No. 171, S.] [Published March 9, 1895.

CHAPTER 19.

AN ACT to regulate the manner and fixing a uniform rate of assessment for the purpose of taxation of steamboats, vessels and other water craft in this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Taxation of steamboats, vessels, etc.

[This law is amended by ch. 283, laws 1895.]

SECTION 1. All personal property in this state shall be assessed as provided in section 1040, of the revised stautes of the state of Wisconsin, and the acts amendatory thereof; provided, however, that in assessing steamboats, vessels and other water crafts the assessor in determining the value of such property for taxation shall assess all vessels of the age of five (5) years and under at the rate of eight dollars ($8.00) on each net ton of its register tonnage; on all vessels of the age of over five (5) years and under ten (10) years of age at the rate of six dollars ($6.00) on each net ton of said tonnage, and on all vessels over ten (10) years of age at the rate of five dollars ($5.00) on each ton of said tonnage, and in case there be no tonnage registered, then at such actual tonnage as such steamboat, vessel or water craft has as near as the same can be ascertained.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 7, 1895.

No. 83, S.] [Published March 9, 1895.

CHAPTER 20.

AN ACT to amend section 14, of chapter 1, of the laws of 1887, entitled "An act to revise, consolidate and amend chapter 43, of the private and local laws of 1869, entitled, an act to incorporate the Wisconsin Odd Fellows Mutual Life Insurance Company."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Odd Fellows mutual insurance law amended.

SECTION 1. Section 14, of chapter 1 of the laws of 1887, is hereby amended by striking out all of said section after the word, "provided" where it appears in said section, and inserting in lieu thereof, the following: That any member may, for the purpose of securing the payment of a debt or advances made or to be made, assign his or her certificate of membership, or any interest therein, or direct in the manner aforesaid, the amount payable thereon, to be paid to a person other than such beneficiary or payee, or his or her heirs or Odd Fellows' lodge, file with the secretary of said company, an assignment, in writing, duly signed by the assured, in the presence of two attesting witnesses, directing the amount to be paid therein, to the person, his or her heirs or assigns, or to an Odd Fellows' lodge, to secure any indebtedness for money loaned, advanced or to be advanced, in which said cases, the amount stated shall be paid, within the time stated as aforesaid, to the payee named in said assignment, his or her heirs or assigns, or the Odd Fellows' lodge; and no such person so insured as aforesaid, shall, while any part of such indebtedness, or sums advanced remains unpaid, dispose of such certificate or any amount that may become due or payable therein, or thereby, or of any interest therein, by his or her last will or testament, or other-

pensation as may be agreed upon by the parties to the contract; and such contract may provide that such lot or lots shall be forever thereafter exempt from all taxes or assessments thereafter to be levied by such association for any purpose whatever.

Contracts when made shall be binding.

SECTION 2. From and after the time of making said contract it shall be the duty of the board of trustees of said cemetery association to care for said lots as provided for in said contract; which said contract shall be reduced to writing, setting forth what care said association is to take of said lots, and that said lots shall be forever thereafter exempt from all tax or assessment of every name or nature thereafter made by said cemetery association, for any purpose whatever; which said contract duly recorded in the records of the association shall be in a book kept by said association for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 7, 1895.

No. 139, A.] [Published March 13, 1895.

CHAPTER 22.

AN ACT to establish a municipal court at the village of Waukesha for the eastern municipal district of the county of Waukesha.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Eastern municipal court of Waukesha county organized. Territory defined.

SECTION 1. The towns of Lisbon, Menomonee, Pewaukee, Brookfield, Genesee, Waukesha, New Berlin, Eagle, Mukwonago, Vernon and Muskego, in Waukesha county, Wisconsin, are hereby declared to be a municipal district,

to be called and known as the "eastern municipal district" of the county of Waukesha, for the purpose of establishing a municipal court therein to have jurisdiction as hereinafter provided, over and throughout the extent of the towns above named.

Shall be held at the village of Waukesha.

SECTION 2. There is hereby constituted and established in the territory comprised within the towns named in section 1, of this act, a court to be known as the municipal court for the eastern district of Waukesha county, which court shall be held at the village of Waukesha in said county, by a judge to be elected for that purpose.

Shall be a court of record. Jurisdiction defined.

SECTION 3. The municipal court for the eastern municipal district of Waukesha county shall be a court of record, and have a clerk and a seal, with suitable device to be procured under the direction of the judge thereof, at the expense of the county of Waukesha. It has and may exercise powers and jurisdiction concurrent and equal with the circuit court of Waukesha county, in all cases of crimes and misdemeanors arising in said eastern municipal district of said county, except murder. The municipal judge, in addition to the powers vested in said municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county in criminal actions and proceedings, and the jurisdiction of all prosecutions for breach of any ordinance of all cities or villages now or which may hereafter be incorporated in said territory, and also all the powers and jurisdiction of a justice of the peace in said county in civil cases and proceedings arising within said municipal district, and also power to hear and determine any such cases, although the title to land may come into question therein; and to exercise such jurisdiction, shall hold the municipal court as courts are held by justices of the peace. The general provisions of law relative to civil and criminal cases before justices of the peace shall apply to said court, so far as applicable. Appeals from judgments rendered in said court in civil ac-

tions may be taken to the county court for Waukesha county in the same manner as appeals from judgments of justices of the peace in similar actions. No justice of the peace or court commissioner within said eastern municipal district, on or after the first Monday of May, A. D. 1895, except when called in to sit as judge of said court as hereinafter provided, shall exercise any jurisdiction in cases of crimes or misdemeanors or breaches of any village or city ordinance arising within the limits of said county, but all such jurisdiction within the limits of said eastern municipal district is vested in said municipal court. The said municipal court has also jurisdiction of all cases brought for breach of any recognizance given in said court; but no judgment in any such action shall constitute a lien upon real estate in said district, until a transcript thereof is duly docketed in the office of the clerk of the circuit court of said county in like manner as judgments of circuit courts in civil cases are required to be docketed; and when so docketed, shall have the same lien upon real estate in said districts as judgments of the circuit court so docketed have. The judgments of the municipal court in criminal cases tried before it may be examined and reviewed by the supreme court in the same manner as a judgment of the circuit court. To carry out its jurisdiction the said municipal court shall have all the powers of circuit courts, and the municipal judge shall have the same powers in all matters pertaining to the jurisdiction of said municipal court as circuit judges.

Justices of the peace shall not exercise jurisdiction after May, 1895.

General provisions of law to apply.

SECTION 4. The general provisions of law which may at any time be in force relative to the circuit courts and actions and proceedings therein in case of crime and the manner of impaneling and drawing jurors therein, shall apply also to said municipal court, unless inapplicable, and the rules of practice prescribed by the justices of the supreme court for circuit courts shall be in force in said municipal court; and these rules, practice and proceedings shall conform as near as practi-

cable to the rules of practice of circuit courts; and it has power and authority to issue all process necessary to carry this practice, which process shall in substance be the same, when applicable, as used in circuit courts. The municipal court may, by rule, direct the practice in said court, and the form and direction of process, when not otherwise provided by law, or the rules prescribed by justices of the supreme court, and the process of said municipal court may be executed in any part of this state by the officer to whom it is addressed. It may, when necessary, issue special venires to complete any panel of jurors therein, in like manner as in circuit courts.

Power and jurisdiction defined.

SECTION 5. The said municipal court has all the powers and jurisdiction heretofore vested in the village justices of the village of Waukesha, in said municipal district, in all cases of crimes and misdemeanors arising in said village, and has jurisdiction of all prosecutions for breach of any ordinance, law, rule, regulation or resolution of said village; for such purpose the said municipal court shall be open for business every morning, Sundays and legal holidays excepted, to hear, try and determine in a summary way all cases which shall be brought before it by the officers of said village, or otherwise, either with or without process for violation of the laws of this state, and any case of crime and misdemeanor arising in said village or in said eastern municipal district, or any such ordinance, law, rule or resolution of said village; the said court may in its discretion grant such continuance of cases as may be necessary to the ends of public justice, with or without bail. Application for warrants may be made to the clerk of the court; said clerk shall have power to issue the same, exercising the discretion a justice of the peace may exercise in granting or refusing the same. If the clerk shall refuse a warrant, the court on application may grant the same in its discretion. A printed copy of any ordinance, by-law, resolution passed by any city or village and published in the official news-

paper of said city or village, or in pamphlet or book form, shall be prima facie evidence of its due passage and publication, and can be received in evidence. After issue joined and before trial in all cases of misdemeanor cognizable before said court, of which justices of the peace would have jurisdiction, the defendant may demand a jury of not more than twelve nor less than six men, and shall designate the number at the time of the demand. The proper officer, whom the court may direct, shall thereupon make a list of twice the number of jurors demanded, who may be qualified to serve as jurors in courts of record in Waukesha county, and the parties shall then alternately strike therefrom so many names as will leave remaining the number demanded. The court shall thereupon issue a venire commanding the officer to summon those so remaining to appear before him at such time as he may direct to make a jury for the trial of the said action; and the court may compel their attendance by attachment. Either party may challenge any juror for cause, and deficiencies occasioned thereby, or by any other cause, shall be supplied by talesmen to be selected and summoned by the officer. If the defendant shall not demand a jury, any city or village may demand a jury, as above provided; and if no jury be demanded it shall be a waiver of a jury trial. If either party declines to strike from the list the names which he is entitled to strike, the court may appoint some disinterested person to strike the same for said party. Each juror shall receive for his services the same fees allowed by law to petit jurors in courts of record in said county, and the fees of such jurors shall be taxed as costs in such action. Witnesses and jurors shall attend before said court in all village and criminal prosecutions without the payment of fees in advance or tender thereof, upon the process of the court duly served; and in default thereof their attendance may be enforced by attachment. In case a jury, after being kept a reasonable time, should disagree, they shall be discharged and the court shall

Trial by jury—how jury to be impaneled.

Witnesses and jurors shall attend without payment of fees in advance.

adjourn the case to a day certain, and issue a new venire as aforesaid. The president of each incorporated village, the mayor of each city and the chairman of the town board of each town within said municipal district, shall each on or before the first Tuesday in May in each year, make a list of twenty residents of each village, city or town, qualified to act as jurors in the circuit court of said county of Waukesha to serve in said municipal court as jurors for the then ensuing year, and deliver such list to the clerk of said municipal court to be filed therein. The jurors for each term of said municipal court shall be selected as follows: At least three days before each term of said court at which cases may be tried by jury the clerk of said court in the presence of the judge thereof shall draw from the list of persons selected as above provided to serve as jurors therein, thirty-six jurors for such term, and the clerk and the judge of said court shall make a list of the names of the persons so drawn, sign the same and forthwith file such list in the office of said clerk; and the clerk shall issue a venire to summon such jurors. The clerk shall put the names of all such persons so drawn in a box in the manner prescribed for jurors in circuit courts and when a jury shall be required for the trial of any offense on which an information or indictment may be filed, the same shall be drawn from the names in such box conformably to the practice prevailing in circuit courts.

First election of judge, when to be held.

SECTION 6. The qualified electors of the said eastern municipal district of the county of Waukesha shall, on the first Tuesday of April, A. D. 1895, and on the same day of the same month each six years thereafter, elect a suitable person, who shall have been admitted to practice in courts of record in said county, and be a resident of the district for which he is elected, to the office of judge of said municipal court, to be called "the municipal judge," who shall hold his office for the term of six years from the first Monday in May, next succeeding such election, and until his successor is elected

Term of office.

and qualified, and who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit judges. If a vacancy shall happen in the office of judge of said court, the governor shall appoint a judge to fill the vacancy until a successor is elected. Elections to fill such vacancies shall be held as provided in section 88, revised statutes, and notice thereof shall be given by the sheriff of Waukesha county in the same manner as for the election of county officers. All vacancies so filled shall be for the residue of the term only. All such elections shall be held and conducted and the votes cast thereat shall be returned and canvassed, and a certificate shall be given in all respects, as is provided by law in the case of election of county judges.

Shall take oath of office.

SECTION 7. The judge of the said municipal court shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed in the constitution, which oath shall be filed in the office of the county clerk in the county of Waukesha.

Clerk to be appointed. His duties defined.

SECTION 8. Said judge shall appoint in writing a clerk of said court, who shall hold his office during the pleasure of said judge, who shall not be a relative of said judge and who, before entering upon his duties, shall take and subscribe the oath of office prescribed in the constitution, and give a bond for the faithful discharge of his duties, and to pay over all moneys the same as clerks of circuit courts are required, which appointment, oath and bond shall be filed in the office of the village clerk of the village of Waukesha, and approved by the judge of the county court of Waukesha county, and a duplicate thereof filed in the office of the county clerk of said Waukesha county. He shall make and keep the records of said court and perform all ministerial acts required of him, by and under the direction of the judge; he shall have power to administer oaths, and take bail in the absence of the judge, subject to his revision. He may examine on oath all persons applying for war-

rants, and may reduce their examinations to writing and file the same, and may issue all warrants and other processes from said court. He shall procure under the direction of said judge all necessary record books, blanks, stationery, lights and fuel for said court, at the expense of the county of Waukesha, subject to the approval of the county board of said county.

Terms of court, when to be held.

SECTION 9. The said municipal court shall hold terms commencing on the first Monday in the months of June, September, November, January and March of each year, at some place in the village of Waukesha, to be provided by the said county. Grand juries when ordered, shall be drawn and summoned as provided in chapter 116, of the revised statutes. The district attorney of Waukesha county shall be the prosecuting officer in all criminal cases, and the village attorney in all village prosecutions in said court.

Phonographic reporter may be appointed.

SECTION 10. The judge of said court may appoint, and from time to time remove, a phonographic reporter for said court, who shall not be a relative of said judge, who shall take and subscribe the oath of office prescribed in the constitution, and who shall be furnished with all necessary stationery and shall attend only when required by said judge, and perform such duties as he may require. Said judge shall fix his compensation, not exceeding five dollars for each day and three dollars for each half day that he shall attend, and which shall be in full compensation for his services and for making such transcripts of his shorthand notes as he may be required by the judge; and he shall furnish to, and may charge persons requiring them, like transcripts at a price not exceeding five cents per folio. Said reporter's per diem compensation shall be paid by the county of Waukesha quarterly.

Compensation, etc.

Place of trial—how changed. Procedure.

SECTION 11. Whenever the place of trial of any action pending in said court shall be changed on account of the prejudice of the judge, or because he is interested in any civil cause of action depending upon the same state

of facts that any criminal action is based upon, or is related to the defendant, or has been of counsel for him, or is otherwise disqualified to try the cause, it shall be changed to the county court of Waukesha county, providing said county court has power to hear, try and determine said action, otherwise to the circuit court of Waukesha county; provided, however, that the judge of said municipal court may, in his discretion, on cause for removal being shown, instead of making an order of removal, as aforesaid, set the trial of said action for a day certain, and call in the judge of the western municipal district of Waukesha county to hear, try and determine the same. Whenever such change of place of trial shall be applied for by one or more of the several defendants in any indictment or information, in any case where a separate trial has not been previously awarded to the defendant or defendants making such application, the court in every case, where it is adjudged that the place of trial be changed, shall order the change of the place of trial as to all of the defendants named in any such indictment or information, in the same manner, and with like effect as if all had joined in said application; and whenever in any case the place of trial is changed to the circuit or county court of Waukesha county from the said municipal court, at any time when a term of said circuit or county court is being held, the recognizances of the accused and the witnesses required by law, shall be for their appearance at such term; otherwise, for their appearance at the next term of said court.

Sheriff to be officer of the court.

SECTION 12. The sheriff of Waukesha county shall be the officer of said court, shall serve its process and carry into effect its orders and judgments; and constables residing in said municipal district may serve its process in village prosecutions. The said municipal court shall have power to commit or bail over to an existing term, or to its next regular term, such persons as on examination are found to be indictable or subject to information, and such

witnesses as may be necessary. In case the judge of said court desires to be absent from said court, or in case of his sickness, press of business at a regular term, or of his inability for any cause to attend, he may designate and appoint by order entered in the minutes of said court, one of the justices of the peace of said county, resident of said municipal district, to temporarily discharge the duties of judge of said court, except holding the term or any part thereof for the trial of indictments, informations or appeals, and his acts shall be of the same force as if performed by the judge. And the clerk shall make a like record of his proceedings, and such justice of the peace shall receive for his services five dollars per day, to be paid by said county. The municipal judge shall not voluntarily absent himself from the duties of his office, more than six weeks in any one year, except from sickness. Any circuit judge or judge of any municipal court having equal jurisdiction in criminal cases may hold court as judge of said municipal court in the term time, for the trial of term cases, in case of the absence, sickness, or other disability, or upon request of the judge of said municipal court, and [while] so doing, shall have the same powers as if elected judge of said court.

In case of absence of judge temporarily, justice of the peace may serve.

SECTION 13. The fees of the witnesses, jurors, sheriff and other officers, and taxable costs of suits, shall be the same as in circuit court, except that in cases that would otherwise be cognizable by the justice of the peace, the costs shall be paid in criminal prosecutions in the name of the state, by the county, and in village prosecutions by the village.

Fees of witnesses, jurors, etc., payment of.

SECTION 14. The salary of the judge of said municipal court shall be the sum of one thousand five hundred dollars per annum, to be paid as follows: Three-fourths of the same to be paid out of the county treasury of Waukesha county, and one-fourth to be paid out of the treasury of the village of Waukesha, to be paid quarterly at the end of each quarter, out of said county and village treasuries respectively. The salary of the clerk of said court

Salary of judge $1,500 per annum. How paid.

Salary of clerk $600 per annum.

shall be six hundred dollars per annum to be paid in like manner and in like proportions as the salary of the judge, which said salaries shall be in full for all services rendered by said judge and clerk of said municipal court. The said judge is authorized to tax and collect fees as follows: For all services rendered by him in civil and criminal actions when exercising the powers of a justice of the peace, the fees allowed to justices of the peace except as hereinafter provided: For hearing and deciding any motion, fifty cents for each; for issuing each venire, fifty cents; for making and recording all necessary orders, fifty cents each; receiving and recording verdict of the jury, fifty cents; taking and approving bail, fifty cents; each commitment, fifty cents; drawing jury in every case, fifty cents; for services of clerk, one dollar in each criminal case, and one dollar in each civil case; and the same shall be paid as other costs in criminal cases are paid, and the said judge or clerk shall pay the same into the county and village treasuries, to apply on the salaries of said judge and clerk as follows: All costs imposed and collected in criminal cases, arising under the laws of the state, shall be paid into the county treasury, and all costs imposed and collected in cases arising under the charter and ordinances of any city or village, shall be paid into the treasury of the city or village under whose charter, by-laws or ordinance said case arose, and all costs collected in civil cases shall be paid as follows: Three-fourths of the same into the county treasury of Waukesha county; and one-fourth into the treasury of the village of Waukesha. The clerk of said court shall keep an accurate statement of all such costs thus collected, and file the same in the county clerk's office at the end of each month, under his hand and the seal of the said court; and shall, at the same time pay over all such moneys as provided for in this act.

Authorized to collect fees.

Accurate statement of costs and fees to be kept by clerk.

SECTION 15. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 87, A.] [Published March 13, 1895.

CHAPTER 23.

AN ACT to establish a municipal court at Oconomowoc for the western municipal district of the county of Waukesha.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Western municipal court of Waukesha county organized. Territory defined.

SECTION 1. The city of Oconomowoc and the towns of Oconomowoc, Merton, Delafield, Summit and Ottawa, in Waukesha county, Wisconsin, are hereby declared to be a municipal district, to be called and known as "The western municipal district of the county of Waukesha," for the purpose of establishing a municipal court therein, to have jurisdiction as hereinafter provided, over and throughout the extent of the city and towns above named.

Court shall be held at Oconomowoc.

SECTION 2. There is hereby constituted and established in the territory comprised within the towns named in section 1, of this act, a court to be known as "The municipal court for the western district of Waukesha county," which court shall be held at the city of Oconomowoc, in said county, by a judge to be elected for that purpose.

Shall be a court of record. Jurisdiction defined.

SECTION 3. The municipal court for the western municipal district of Waukesha county shall be a court of record, and have a clerk and seal, with suitable device to be procured under the direction of the judge thereof, at the expense of the county of Waukesha. It has and may exercise powers and jurisdiction concurrent and equal with the circuit court of

Waukesha county, in all cases of crimes and misdemeanors arising in said western municipal district of said county, except murder. The municipal judge, in addition to the powers vested in said municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county in criminal actions and proceedings, and the jurisdiction of all prosecutions for breach of any ordinance of all cities or villages, now or which may hereafter be incorporated in said territory, and also all the powers and jurisdiction of a justice of the peace in said county in civil cases and proceedings, arising within said municipal district; and also power to hear and determine any cases, although the title to land may come into question therein; and to exercise such jurisdiction, shall hold the municipal court as courts are held by justices of the peace. The general provisions of law relative to civil and criminal cases before justices of the peace shall apply to said court, so far as applicable. Appeals from judgments rendered in said court in civil actions may be taken to the county court for Waukesha county in the same manner as appeals from judgments of justices of the peace in similar actions. No justice of the peace or court commissioner within said western municipal district, on or after the first Monday of May, A. D. 1895, except when called on to sit as judge of said court as hereinafter provided shall exercise any jurisdiction in cases of crimes or misdemeanors or breaches of any village or city ordinance, arising within the limits of said county, or arising through any breach of the charter, ordinances or by-laws of the city of Oconomowoc, but all such jurisdiction within the limits of said western municipal district is vested in said municipal court. The said municipal court has also jurisdiction of all cases brought for breach of any recognizance given in said court, but no judgment in any such action shall constitute a lien upon real estate in said district, until a transcript thereof is duly docketed in the office of the clerk of the

Justices of the peace shall not exercise jurisdiction after May, 1895.

circuit court of said county, in like manner as judgments of circuit courts in civil cases are required to be docketed, and when so docketed shall have the same lien upon real estate in said district, as judgments of the circuit court so docketed have. The judgments of the municipal court in criminal cases tried before it, may be examined and reviewed by the supreme court in the same manner as a judgment of the circuit court. To carry out its jurisdiction, the said municipal court shall have all the powers of circuit courts, and the municipal judge shall have the same powers in all matters pertaining to the jurisdiction of said municipal court as circuit judges.

General rules of court in regard to drawing of jurors shall prevail.

SECTION 4. The general provisions of law which may at any time be in force relative to the circuit courts, and actions and proceedings therein, in case of crimes and the manner of impaneling and drawing jurors therein, shall apply also to said municipal court, unless inapplicable, and the rules of practice prescribed by the justices of the supreme court for circuit courts shall be in force in said municipal court, and these rules of practice and proceedings shall conform as near as practicable to the rules and practice of circuit courts, and it has power and authority to issue all process necessary to carry into effect this practice, which process shall be in substance the same, when applicable, as used in circuit courts. The municipal court may, by rule, direct the practice in said court, and the form and direction of process, when not otherwise provided by law, or the rules prescribed by the justices of the supreme court, and the process of said municipal court may be executed in any part of this state by the officer to whom it is addressed. It may, when necessary, issue special venires to complete any panel of jurors therein in like manner as in circuit courts.

Shall have all the powers and jurisdiction of justices of the peace.

SECTION 5. The said municipal court has all the powers and jurisdiction heretofore vested in the justices of the peace of the city of Oconomowoc, in said municipal district, in all cases of crimes and misdemeanors arising in said

Duties and powers enumerated.

city, and has jurisdiction of all prosecutions for breach of any ordinance, law, rule, regulation or resolution of said city; for such purpose, the said municipal court shall be open for business every morning, Sundays and legal holidays excepted, to hear, try and determine in a summary way, all cases which shall be brought before it by the officers of said city, or otherwise, either with or without process for violation of the laws of this state, and any case of crime and misdemeanor arising in said city, or in said western municipal district, or of any such ordinance, law, rule, regulation or resolution of said city; the said court may, in its discretion, grant such continuance of cases, as may be necessary to the ends of public justice, with or without bail. Applications for warrants may be made to the clerk of the court; and the said clerk shall have power to issue the same, exercising the discretion a justice of the peace may exercise in granting or refusing the same. If the clerk shall refuse a warrant, the court on application, may grant the same in its discretion.

Printed copies of ordinances, etc., to be prima facie evidence of passage.

A printed copy of any ordinance, by-law or resolution passed by any city or village and published in the official newspaper of said city or village, or in pamphlet or book form, shall be prima facie evidence of its due passage and publication, and can be received in evidence. After issue joined and before trial in all cases of misdemeanors cognizable before said court, of which justices of the peace would have jurisdiction, the defendant may demand a jury of not more than twelve, nor less than six men, and shall designate the number at the time of the demand.

Drawing jurors —procedure.

The proper officer, whom the court may direct, shall thereupon make a list of twice the number of jurors demanded who may be qualified to serve as jurors in courts of record in Waukesha county, and the parties shall then alternately strike therefrom so many names as will leave remaining the number demanded. The court shall thereupon issue a venire, commanding the officer to summon those remaining, to appear before him at such time as he may di-

rect to make a jury for the trial of the said action; and the court may compel their attendance by attachment. Either party may challenge any juror for cause, and deficiencies occasioned thereby, or by any other cause, shall be supplied by talesmen to be selected and summoned by the officer. If the defendant shall not demand a jury, any city or village may demand a jury, as above provided; and if no jury be demanded, it shall be a waiver of a jury trial. If either party declines to strike from the list the names which he is entitled to strike, the court may appoint some disinterested person to strike the same for said party; each juror shall receive for his services the same fees allowed by law to petit jurors in courts of record in said county, and the fees of such jurors shall be taxed as costs in such action. Witnesses and jurors shall attend before said court in all city and criminal prosecutions without the payment of fees in advance, or tender thereof, upon the process of the court duly served; and in default thereof, their attendance may be enforced by attachment. In case a jury, after being kept a reasonable time, should disagree, they shall be discharged, and the court shall adjourn the case to a day certain, and issue a new venire as aforesaid. The president of each incorporated village, the mayor of each city, and the chairman of the town board of each town within said municipal district shall each, on or before the first Tuesday in May in each year, make a list of twenty residents of each village, city or town, qualified to act as jurors in the circuit court of said county of Waukesha, to serve in said municipal court as jurors for the then ensuing year, and deliver such list to the clerk of said municipal court to be filed therein. The jurors for each term of said municipal court shall be selected as follows: At least three days before each term of said court at which cases may be tried by jury, the clerk of said court, in the presence of the judge thereof, shall draw from the list of persons selected as above provided to serve as jurors therein, thirty-six jurors for such

term, and the clerk and the judge of said court shall make a list of the names of the persons so drawn, sign the same, and forthwith file such list in the office of said clerk; and the clerk shall issue a venire to summon such jurors. The clerk shall put the names of all such persons so drawn in a box in the manner prescribed for jurors in circuit courts, and when a jury shall be required for the trial of any offense on which an information or indictment may be filed, the same shall be drawn from the names in such box conformably to the practice prevailing in circuit courts.

Election of municipal judge—term of office when to begin.

SECTION 6. The qualified electors of the said western municipal district of the county of Waukesha, shall on the first Tuesday of April, A. D. 1895, and on the same day of the same month each six years thereafter, elect a suitable person, who shall have been admitted to practice in courts of record in said county, and be a resident of the district for which he is elected, to the office of judge of said municipal court, to be called "the municipal judge," who shall hold his office for the term of six years from the first Monday in May next succeeding such election, and until his successor is elected and qualified, and who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit judges. If a vacancy shall happen in the office of judge of said court, the governor shall appoint a judge to fill the vacancy until a successor is elected. Elections to fill such vacancies shall be held as provided in section 88, revised statutes, and notice thereof shall be given by the sheriff of Waukesha county in the same manner as for the election of county officers. All vacancies so filled shall be for the residue of the term only. All such elections shall be held and conducted and the votes cast thereat shall be returned and canvassed, and a certificate shall be given, in all respects as is provided by law in the case of the election of county judges.

Vacancies, how filled.

Shall take oath.

SECTION 7. The judge of the said municipal court shall, before entering upon the duties of

his office, take and subscribe the oath of office prescribed in the constitution, which oath shall be filed in the office of the county clerk in the county of Waukesha.

Clerk to be appointed, duties defined.

SECTION 8. Said judge shall appoint in writing a clerk of said court who shall hold his office during the pleasure of said judge, who shall not be a relative of said judge and who before entering upon his duties, shall take and subscribe the oath of office prescribed in the constitution, and give a bond for the faithful discharge of his duties, and to pay over all moneys the same as clerks of circuit courts are required, which appointment, oath and bond shall be filed in the office of the clerk of the city of Oconomowoc, and approved by the judge of the county court of Waukesha county, and a duplicate thereof filed in the office of the county clerk of said Waukesha county. He shall make and keep the records of said court and perform all ministerial acts required of him, by and under the direction of the judge; he shall have power to administer oaths, and take bail in the absence of the judge, subject to his revision. He may examine on oath all persons applying for warrants, and may reduce their examination to writing, and file the same, and may issue all warrants and other processes from said court. He shall procure under the direction of said judge, all necessary record books, blanks, stationery, lights and fuel for said court, at the expense of the county of Waukesha, subject to the approval of the county board of said county.

Terms of court, when held.

SECTION 9. The said municipal judge shall hold terms commencing on the third Monday in the months of June, September, November, January and March of each year, at some place in the city of Oconomowoc, to be provided by the said county. Grand juries, when ordered, shall be drawn and summoned as provided in chapter 116, of the revised statutes. The district attorney of Waukesha county shall be the prosecuting officer in all criminal cases, and the city attorney in all city prosecutions in said court.

Phonographic reporter to be appointed—compensation.

SECTION 10. The judge of said court may appoint, and from time to time remove, a phonographic reporter of said court, who shall not be a relative of said judge, who shall take and subscribe the oath of said office prescribed in the constitution, and who shall be furnished with all necessary stationery and shall attend only when required by said judge, and perform such duties as he may require. Said judge shall fix his compensation, not exceeding five dollars for each day and three dollars for each half day that he shall attend, and which shall be in full compensation for his services and for making such transcripts of his shorthand notes as may be required by the judge; and he shall furnish to and may charge persons requiring them, like transcripts at a price not exceeding five cents per folio. Said reporter's per diem compensation shall be paid by the county of Waukesha, quarterly.

Change of place of trial—county judge may preside, when.

SECTION 11. Whenever the place of trial of any action pending in said court shall be changed on account of the prejudice of the judge, or because he is interested in any civil cause of action depending upon the same state of facts that any criminal action is based upon, or is related to the defendant, or has been counsel for him, or is otherwise disqualified to try the cause, it shall be changed to the county court of Waukesha county, providing said county court has power to hear, try and determine said action, otherwise to the circuit court of Waukesha county; provided, however, that the judge of said municipal court may, in his discretion, on cause for removal being shown instead of making an order of removal as aforesaid, set the trial of said action for a day certain and call in the judge of the eastern municipal district of Waukesha county to hear, try and determine the same, whenever such change of place of trial shall be applied for by one or more of the several defendants in any indictment or information, in any case where a separate trial has not been previously awarded to the defendant or defendants making such application. The court in every case where it is

adjudged that the place of trial be changed shall order the change of the place of trial as to all of the defendants named in any such indictment or information, in the same manner and with like effect as if all had joined in such application, and whenever in any case, the place of trial is changed to the circuit or county court of Waukesha county from the said municipal court, at any time when a term of said circuit or county court is being held, the recognizance of the accused and the witnesses required by law, shall be for their appearance at such term; otherwise for their appearance at the next term of said court.

County sheriff to be officer of the court.

SECTION 12. The sheriff of Waukesha county shall be the officer of said court, shall serve its process and carry into effect its orders and judgments; and the marshal of the city of Oconomowoc may serve its process in all actions and proceedings of which justices of the peace of said city heretofore had jurisdiction. The municipal court shall have power to commit or bail over to an existing term, or to its next regular term, such persons as on examination are found to be indictable or subject to information, and such witnesses as may be necessary. In case the judge of said court desires to be absent from said court, or in case of his sickness, press of business at a regular term, or of his inability for any cause to attend, he may designate and appoint, by order entered in the minutes of said court, one of the justices of the peace of said county, resident of said municipal district, to temporarily discharge the duties of judge of said court, except holding the term, or any part thereof, for the trial of indictments, informations or appeals, and his acts shall be of the same force as if performed by the judge. And the clerk shall make a like record of his proceedings, and such justice of the peace shall receive for his services, five dollars per day, to be paid by said county. The municipal judge shall not voluntarily absent himself from the duties of his office, more than six weeks in any one year, except from sickness. Any circuit judge or

Justices of the peace may preside—when.

Jurisdiction of court.

judge of any municipal court having equal jurisdiction in criminal cases, may hold court as judge of said municipal court in the term time, for the trial of term cases, in case of the absence, sickness or other disability or upon request of the judge of said municipal court, and while so doing, shall have the same powers as if elected judge of said court.

Fees of jurors, witnesses, etc.

SECTION 13. The fees of the witnesses, jurors, sheriff and other officers, and taxable costs of suits, shall be the same as in circuit court, except that in cases that would otherwise be cognizable by the justice of the peace, the costs shall be paid in criminal prosecutions in the name of the state, by the county, and in city prosecutions, by the city.

Salary of the judge, how payable.

SECTION 14. The salary of the judge of said municipal court shall be the sum of one thousand dollars per annum, to be paid as follows: Three-fourths of the same to be paid out of the county treasury of Waukesha county, and one-fourth to be paid out of the treasury of the city of Oconomowoc, to be paid quarterly at the end of each quarter, out of said county and city treasuries respectively. The salary of the clerk of said court shall be six hundred dollars per annum, to be paid in like manner and in like proportions as the salary of the judge, which said salaries shall be in full for all services rendered by said judge and clerk of said municipal court. The said judge is authorized to tax and collect fees as follows: For all services rendered by him in civil and criminal actions when exercising the powers of a justice of the peace, the fees allowed to justices of the peace, except as hereinafter provided: For hearing and deciding any motion, fifty cents each; for issuing each venire, fifty cents; for making and recording all necessary orders, fifty cents each; for receiving and recording verdict of the jury, fifty cents; taking and approving bail, fifty cents; each commitment, fifty cents; drawing jury in every case, fifty cents; for services of clerk, one dollar in each criminal case and one dollar in each civil case; and the same shall be paid as other costs in

Clerk's salary, how paid.

Fees, how taxed.

criminal cases are paid; and the said clerk shall pay the same [into] the county and city treasuries, to apply on the salary of the judge and clerk as follows: All costs imposed and collected in criminal cases, arising under the laws of the state shall be paid into the county treasury, and all costs imposed and collected in cases arising under the charter and ordinances of any city or village shall be paid into the treasury of the city or village under whose charter, by-laws or ordinance said case arose, and all costs collected in civil cases shall be paid as follows: Three-fourths of the same into the county treasury of Waukesha county; and one-fourth into the treasury of the city of Oconomowoc. The clerk of said court shall keep an accurate statement of all such costs thus collected, and file the same in the county clerk's office at the end of each month, under his hand and the seal of the said court; and shall at the same time pay over all such moneys as provided for in this act.

Clerk to keep accurate statement.

SECTION 15. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 306, A.] [Published March 13, 1895.

CHAPTER 24.

AN ACT to establish a municipal court in and for the city of Oshkosh, and the county of Winnebago.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. A municipal court for the city of Oshkosh and county of Winnebago, is here-

Municipal court established.

by established, under the name of the municipal court of the city of Oshkosh and county of Winnebago; said court shall be a court of record, and have a clerk and seal with suitable device to be procured under the direction of the judge of said court, at the expense of the city of Oshkosh; said court may exercise powers and jurisdiction equal and concurrent with the circuit court of Winnebago county in all cases of crimes and misdemeanors arising in said county, except murder, and except where the person accused shall demand, in writing, as herein provided, to be tried in said circuit court; such jurisdiction shall include the right to try and determine all appeals to such court, in criminal cases, from justices of the peace in said county, and the party appealing may, at his option, appeal to the county court of said county, or to said municipal court, or the municipal court of Neenah and Menasha. No justice of the peace or court commissioner within said city, shall exercise any jurisdiction in criminal or bastardy cases, but all such jurisdiction is vested in the judge of said court; and all examinations, recognizances and commitments from said judge, and the other justices of the peace of said county, in criminal cases (except murder), and in bastardy cases, shall be certified and returned to said municipal court or the municipal court of Neenah and Menasha, instead of said circuit court, at or before the time fixed for the appearance of the accused; and the accused, and all witnesses required to attend, shall be committed to be brought or recognized to appear before said municipal court, or such other court as they may be held to, on a day certain, not more than thirty days from the date of such commitment or recognizance; the judgments of said municipal court, in criminal cases tried upon information or upon appeal, may be reviewed by the supreme court in the same manner as like judgments of the circuit court may be, and all judgments originally rendered by said court or the judge thereof, in criminal cases of which justices of the peace have jurisdiction, may be

Jurisdiction of the court defined.

appealed to and tried by the county court, in the same manner as like judgments rendered by justices of the peace.

General provisions of law to apply.

SECTION 2. The general provisions of law which may at any time be in force relative to circuit courts, and actions and proceedings therein, in criminal cases, shall relate also to said municipal court, unless inapplicable, and the rules of practice prescribed by the justices of the supreme court for circuit courts shall be in force in said municipal court, and its rules of practice and proceedings shall conform as near as practicable to the rules and practice of circuit courts; but the laws of the state relative to change of venue, in criminal examinations and trials, shall not apply to said court or the judge thereof; any person charged upon information of a criminal offense, in the municipal court of the city of Oshkosh may, at any time before a jury is drawn for the purpose of a trial in said court, obtain a change of venue to the circuit court of said Winnebago county, upon making affidavit that he believes that he cannot obtain a fair and impartial trial in said municipal court, and thereupon the said municipal court shall commit or hold the party to bail, to appear at the next term of said circuit court, as upon examinations, and the judge, under the seal of said court, shall transmit all the papers and a copy of the records and proceedings in such cause properly certified to be such, to said circuit court, which shall then proceed to hear and determine the same, and all recognizances previously given in such cases, and returned to said municipal court, may be enforced by said circuit court as fully as if they had originally run and been certified and returned thereto; said court shall have power and authority to issue all process necessary to carry into effect its jurisdiction, which process shall in substance be the same when applicable, as used in circuit courts, or shall be as directed by the judge thereof; process issued by said court, its judge, or clerk, in criminal cases may be executed in any part of the state by the officer to whom it is addressed;

all informations for criminal offenses, except murder, committed in said county of Winnebago, and where the offender shall be held for trial in said municipal court, shall, in the first instance, be filed in said municipal court by the district attorney of said county at the next term at which the same may be triable; if terms are held as hereinafter provided, and if not, then before the time fixed for the trial thereof; the sheriff of Winnebago county may execute all sentences and judgments of said court.

Vested with powers of justice of the peace; powers defined.

SECTION 3. The municipal judge, in addition to the powers vested in the municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county, in criminal actions and proceedings, and jurisdiction of all prosecutions for breach of any ordinance or by-law of the city of Oshkosh; and also with all the powers and jurisdiction of justices of the peace in said county in civil actions and proceedings, and also power to hear and determine any such case, although the title to land may come in question therein; and to exercise such jurisdiction, shall hold the municipal court as courts are held by justices of the peace; the general provisions of law relative to civil and criminal actions before justices of the peace shall apply to said court so far as applicable; appeals from judgments rendered in said court, in civil actions, may be taken to the county court for Winnebago county, in the same manner as appeals from judgments of justices of the peace in similar actions; said judge shall open court each morning (Sundays and legal holidays excepted), and hear and dispose of, in a summary way, all cases for violations of the ordinances and by-laws of said city which shall be brought before him, by police officers or otherwise, either with or without process; proceedings therein shall be in the forms heretofore used, except as modified by said judge, and the city attorney shall be the prosecuting officer therein; all the provisions in the charter and ordinances of the city of Oshkosh, relating to jus-

tices of the peace, or to criminal prosecutions, shall be held applicable to said municipal court.

Election of municipal judge; when; term defined.

SECTION 4. The qualified electors of the county of Winnebago shall, on the first Tuesday of April, 1895, and on the same day of the same month each six years thereafter, elect a suitable person who shall be an attorney of a court of record, to the office of judge of said municipal court, to be called municipal judge, who shall hold his office for the term of six years from the third Monday in April next succeeding his election, and until his successor is elected and qualified, and who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit court judges; whenever a vacancy shall happen in the office of such judge, the governor shall appoint to fill the same until a successor is elected; elections to fill a vacancy, for the residue of the term only, shall be held as is provided in section 88, of the revised statutes, for other judges, and notice thereof shall be given by the sheriff of Winnebago county, in the same manner as for elections of county officers; all such elections shall be held and conducted, and the votes cast thereat shall be returned and canvassed, and a certificate shall be given in all respects as is provided by law in case of the election of county judges; and said judge, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed in the constitution, which shall be filed in the office of the clerk of the city of Oshkosh, and a duplicate oath in the office of the clerk of the circuit court of the county of Winnebago; in case of the absence, sickness or temporary disability of said judge, he may, by order in writing to be filed in said court, call in the county judge of said Winnebago county, to discharge the duties of such judge during such absence, sickness or disability, who shall have all the powers of such judge, while administering such office.

Conduct of elections.

Shall take the oath of office.

Clerk to be appointed by the judge.

SECTION 5. Said judge shall appoint, in writing, a clerk of said court, who, before entering

all informations for criminal offenses, except murder, committed in said county of Winnebago, and where the offender shall be held for trial in said municipal court, shall, in the first instance, be filed in said municipal court by the district attorney of said county at the next term at which the same may be triable; if terms are held as hereinafter provided, and if not, then before the time fixed for the trial thereof; the sheriff of Winnebago county may execute all sentences and judgments of said court.

Vested with powers of justice of the peace; powers defined.

SECTION 3. The municipal judge, in addition to the powers vested in the municipal court as aforesaid, is vested with all the powers and jurisdiction of a justice of the peace in said county, in criminal actions and proceedings, and jurisdiction of all prosecutions for breach of any ordinance or by-law of the city of Oshkosh; and also with all the powers and jurisdiction of justices of the peace in said county in civil actions and proceedings, and also power to hear and determine any such case, although the title to land may come in question therein; and to exercise such jurisdiction, shall hold the municipal court as courts are held by justices of the peace; the general provisions of law relative to civil and criminal actions before justices of the peace shall apply to said court so far as applicable; appeals from judgments rendered in said court, in civil actions, may be taken to the county court for Winnebago county, in the same manner as appeals from judgments of justices of the peace in similar actions; said judge shall open court each morning (Sundays and legal holidays excepted), and hear and dispose of, in a summary way, all cases for violations of the ordinances and by-laws of said city which shall be brought before him, by police officers or otherwise, either with or without process; proceedings therein shall be in the forms heretofore used, except as modified by said judge, and the city attorney shall be the prosecuting officer therein; all the provisions in the charter and ordinances of the city of Oshkosh, relating to jus-

tices of the peace, or to criminal prosecutions, shall be held applicable to said municipal court.

Election of municipal judge; when; term defined.

SECTION 4. The qualified electors of the county of Winnebago shall, on the first Tuesday of April, 1895, and on the same day of the same month each six years thereafter, elect a suitable person who shall be an attorney of a court of record, to the office of judge of said municipal court, to be called municipal judge, who shall hold his office for the term of six years from the third Monday in April next succeeding his election, and until his successor is elected and qualified, and who may be removed from office in the manner provided in the constitution for the removal of supreme and circuit court judges; whenever a vacancy shall happen in the office of such judge, the governor shall appoint to fill the same until a successor is elected; elections to fill a vacancy, for the residue of the term only, shall be held as is provided in section 88, of the revised statutes, for other judges, and notice thereof shall be given by the sheriff of Winnebago county, in the same manner as for elections of county officers; all such elections shall be held and conducted, and the votes cast thereat shall be returned and canvassed, and a certificate shall be given in all respects as is provided by law in case of the election of county judges; and said judge, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed in the constitution, which shall be filed in the office of the clerk of the city of Oshkosh, and a duplicate oath in the office of the clerk of the circuit court of the county of Winnebago; in case of the absence, sickness or temporary disability of said judge, he may, by order in writing to be filed in said court, call in the county judge of said Winnebago county, to discharge the duties of such judge during such absence, sickness or disability, who shall have all the powers of such judge, while administering such office.

Conduct of elections.

Shall take the oath of office.

Clerk to be appointed by the judge.

SECTION 5. Said judge shall appoint, in writing, a clerk of said court, who, before entering

upon his duties, shall take and subscribe the oath of office prescribed in the constitution, which appointment and oath shall be filed in the office of the city clerk of said city, and a duplicate thereof in the office of the clerk of the circuit court of Winnebago county; he shall make and keep the records of said court and perform all ministerial acts required of him, by and under the direction of the judge; he shall have power to administer oaths, and take bail, in the absence of the judge, subject to his revision; he may examine on oath all persons applying for warrants, may reduce their examination to writing and file the same, and may issue all warrants and other processes from said court; he shall procure under the direction of said judge, all necessary record books, blanks, stationery, lights and fuel for said court, at the expense of the city of Oshkosh, subject to approval of the common council of said city; in the absence or disability of the judge of said municipal court the clerk of said court may adjourn the same in the manner now provided by law for the adjournment of circuit courts.

Duties of clerk defined.

Where court shall be held.

SECTION 6. Said municipal court shall be held at the city of Oshkosh, in some suitable place to be provided and suitably furnished by said city; all fines and penalties collected in criminal cases, in which the state is a party, shall be immediately paid by said judge to the treasurer of said city, and shall be by him annually accounted for, and paid over to the treasurer of the county of Winnebago, at the time of his paying over county taxes; all fines collected in city prosecutions, shall be immediately paid by said judge to the treasurer of said city; at the time of such payment to the county treasurer, said county shall pay to said city two-thirds of all sums paid by it for record books, blanks, stationery, office furniture, lights, fuel, and the other expenses of said court.

Fines and penalties, how collected.

Drawing of jurors to try criminal cases.

SECTION 7. Said judge may, if he deem it best, by order in writing filed in said court, direct terms to be held for the trial of offenses

on which informations may be filed, and of appeals from justices of the peace in criminal cases, not exceeding four in any one year; when such terms are ordered, the clerk of said court, in the presence of the judge, at least three days before such term, shall draw, from the list of persons selected as hereinafter provided to serve as jurors therein, thirty-six jurors for such term, and shall issue a venire to summon them as such; if no such terms are ordered, the court shall fix a particular day for the trial of the criminal cases mentioned in this section, not more than twenty days after the day fixed in the recognizance or commitment for the appearance of the accused, or after the filing of the return on appeals; and a jury shall be drawn in open court, in presence of the defendant and prosecuting officer, at least two days before the day fixed for trial, in the following manner: The clerk shall draw, in presence of the court, from a box containing the names of all the persons so furnished by the senior aldermen and supervisors, twelve names; each party may, alternately, beginning with the prosecution, object to a name drawn, not more than six in all on each side, and as soon as any name is objected to the clerk shall draw another; the twelve remaining after such objections are made or waived, shall be summoned as jurors in such cases. In civil actions before such judge, the eighteen names from whom the jury shall be struck shall be drawn from such list in like manner; the day for trial may be adjourned from time to time, in the discretion of the court; if any person thus drawn cannot be summoned, or be excused, or be set aside as incompetent, another name may be drawn from said list to supply his place, who shall be summoned in like manner, or the judge may direct the issue of a venire to said sheriff to summon the necessary jurors to complete the panel from said county at large.

Qualified jurors, how drawn.

SECTION 8. The senior alderman and supervisor for each ward of the city of Oshkosh, shall each, on or before the third Tuesday of

April in each year, make a list of twenty qualified electors in each ward of said city, to serve in said court as jurors for the then ensuing year, and deliver such list to said judge; a jury trial in said court may be waived by the accused, in writing, or by consent in open court, entered in the minutes; upon trial of informations or appeals from justices of the peace in criminal cases, the jury shall consist of twelve jurors; the fees of jurors shall be one dollar per day in criminal cases, and in civil cases the same as are allowed by law in courts of justices of the peace; the fees of said judge, witnesses, sheriff and other officers, shall be the same in criminal cases not cognizable before a justice, as in circuit courts, and in cases so cognizable the same as in a court held by a justice of the peace, except as hereinafter provided, and shall be paid in like manner as in circuit and justices' courts respectively.

Salary of the judge, how payable.

SECTION 9. The salary of the judge of said municipal court shall be the sum of two thousand four hundred dollars per annum, which shall be in full for all services rendered by said judge, to be paid as follows: Two-thirds of the same to be paid out of the county treasury of Winnebago county, and one-third to be paid out of the treasury of the city of Oshkosh, to be paid quarter-yearly at the end of each quarter, out of said county and city treasuries respectively. The salary of the clerk of said municipal court shall be six hundred dollars, to be paid in [the] same manner as the judge of said court is paid, and shall be in full for all services rendered by said clerk. The said judge is authorized to tax and collect fees as follows: For all services rendered by him in civil and criminal actions, when exercising the powers of a justice of the peace, the fees allowed to justices of the peace, except as hereinafter provided; for hearing and deciding any motion, fifty cents; for issuing each venire, fifty cents; for making and recording all necessary orders, fifty cents each; for receiving and recording verdict of jury, fifty cents; taking and approving bail, fifty cents; each com-

Salary of the clerk, how paid.

mitment, fifty cents; drawing jury, in every case, fifty cents; for services of clerk, one dollar in each criminal case, and fifty cents in each civil case, and the same shall be paid as other costs in criminal cases are paid, and the said judge, or clerk, shall pay the same into the county and city treasuries, to apply on the salary of said judge, as follows: All costs imposed and collected in criminal cases, arising under the laws of the state, shall be paid into the county treasury, and all costs imposed and collected in cases arising under the charter and ordinances of said city, shall be paid into the city treasury, and all costs collected in civil actions shall be paid as follows: Two-thirds of the same into the county treasury of Winnebago county, and one-third into the treasury of the city of Oshkosh. The clerk of said court shall keep an accurate statement of all such costs thus collected and file the same in the county clerk's office at the end of each month, under his hand and the seal of said court, and shall at the same time pay over all such moneys as provided for in this act.

Costs and fines to be paid into the city treasury.

SECTION 10. The sheriffs of Winnebago county, and chief of police and all policemen of the city of Oshkosh, and all constables of the county of Winnebago, shall be officers of said court and may serve its processes and carry into effect its lawful orders and judgments.

Officers of the court defined.

SECTION 11. The judge of said court may appoint and from time to time remove, a stenographic reporter for said court, skilled in the art of shorthand, who shall take and subscribe the oath of office in the constitution, and who shall be furnished with all necessary stationery, and shall attend only when required by said judge, and perform such duties as he may require. Such judge shall fix his compensation, not exceeding ten dollars for each day, and five dollars for each half day, that he shall attend, and which shall be in full compensation for his services and for making such transcripts of his shorthand notes of any charge of the court required by it or the judge;

Stenographic reporters may be appointed.

Compensation fixed.

and who shall furnish to and charge persons requiring them like transcripts at a price not exceeding five cents per folio. He shall make the like transcripts required by the court to be filed therein, and shall be paid therefor the like sum, which sum, together with his per diem compensation, shall be paid in the same manner as the other expenses of the court are paid.

Use of common jail.

SECTION 12. The use of the common jail of Winnebago county is granted to said court for the confinement of all persons committed to it for contempt or otherwise, and every such person shall be delivered to the sheriff of such county, who shall confine him in such.

What this act does not affect.

SECTION 13. Nothing in this act shall be construed in any manner affecting the right or jurisdiction of any court, judge, justice of the peace, or police court, to hear, try, and determine any cause now pending in such court, or before such judge, justice of the peace, or police court, or which may be commenced before the judge of said municipal court shall enter upon the duties of his office.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 160, A.] [Published March 14, 1895.

CHAPTER 25.

AN ACT to amend section 2590, revised statutes of 1878, relating to attorneys and bonds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

[See ch. 150.]

SECTION 1. Section 2590, revised statutes 1878, is hereby amended so as to read as fol-

lows: Section 2590. No attorney practicing in this state shall be taken as bail or security on any undertaking, bond or recognizance, in any action or proceeding, civil or criminal, nor shall any practicing attorney sign any bond or recognizance as surety for any sheriff, constable, clerk of court, or justice of the peace.

Practicing attorney not to go on bond, undertaking, etc.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 18, A.] [Published March 14, 1895.

CHAPTER 26.

AN ACT to amend section 1939, of the revised statutes of 1878, relating to insurance corporations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1939, of the revised statutes of 1878, is hereby amended by striking out the following words at the end of said section, to-wit: "Except that he shall not be a director," so that said section when so amended shall read as follows: Section 1939. A non-resident of any town, owning property therein, may become a member of any such corporation authorized to insure property in such town, and shall be entitled to all the rights and privileges of such member.

Non-resident may become a member of insurance company.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 350, A.] [Published March 14, 1895.

CHAPTER 27.

AN ACT to repeal chapter 49, of the laws of 1889, relating to certain dams on Yellow river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Act repealed.

SECTION 1. Chapter 49, of the laws of 1889, is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after August 1, 1895.

Approved March 12, 1895.

No. 352, A.] [Published March 14, 1895.

CHAPTER 28.

AN ACT to repeal chapter 149, of the laws of 1891, relating to a certain dam on Spring Brook.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Act repealed.

SECTION 1. Chapter 149, of the laws of 1891, is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after August 1, 1895.

Approved March 12, 1895.

No. 169, S.] [Published March 14, 1895.

CHAPTER 29.

AN ACT to appropriate to the governor's contingent fund a sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the governor's contingent fund, out of any moneys in the state treasury not otherwise appropriated, the sum of two thousand dollars per annum for the years 1895 and 1896.

$2,000 contingent fund for 1895 and 1896.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 143, S.] [Published March 14, 1895.

CHAPTER 30.

AN ACT for the protection of the public health, and to prevent adulteration, deception or fraud in the manufacture and sale of dairy products.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. No person, by himself or by his agents or servants, shall manufacture or shall buy, sell, offer, ship, consign, expose or have in his possession for sale any cheese manufactured from or by the use of skimmed milk to which there has been added any fat which is foreign to such milk.

Foreign fat in skimmed milk cheese prohibited

Size of skimmed milk cheese define'.

SECTION 2. No person, by himself or by his agents or servants, shall manufacture or shall buy, sell, offer, ship, consign, expose or have in his possession for sale, within this state, any skimmed milk cheese, or cheese manufactured from milk from which any of the fat originally contained therein has been removed, except such cheese is ten inches in diameter and nine inches in height.

Possession of adulterated cream or milk unlawful.

SECTION 3. No person, by himself or his agents or servants, shall render or manufacture, sell, ship, consign, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, and without the admixture or addition of any fat foreign to said milk or cream, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same, with or without coloring matter; provided, that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character free from coloration or ingredient that causes it to look like butter.

Samples of adulterated butter unlawful.

SECTION 4. It shall be unlawful for any person to sell or offer for sale to any person who asks, sends or inquires for butter, any oleomargarine, butterine or any substance made in imitation of or semblance of pure butter not made entirely from the milk of cows, with or without coloring matter.

Oleomargarine, etc., to be placarded

SECTION 5. It shall be unlawful for any person to expose for sale oleomargarine, butterine, or any similar substance not marked and distinguished on the outside of each tub, package or parcel thereof by a placard with the word "oleomargarine," and not having also upon every open tub, package or parcel thereof a placard with the word "oleomargarine," such placard in each case to be printed in

plain, uncondensed gothic letters not less than one inch long, and such placard shall not contain any other words thereon.

Dealers in oleomargarine, etc., to post sign conspicuously.

SECTION 6. It shall be the duty of every person who sells oleomargarine, butterine or any similar substance, from any dwelling, store, office or public mart, to have conspicuously posted thereon the placard or sign, in letters not less than four inches in length, "oleomargarine sold here," or "butterine sold here." Such placard shall be approved by the dairy and food commissioner for the state of Wisconsin.

Peddlers who sell oleomargarine, etc., must have sign "licensed to sell" on vehicle.

SECTION 7. It shall be unlawful for any person to peddle, sell or deliver from any cart, wagon or other vehicle, upon the public streets or ways, oleomargarine, butterine, or any similar substance, not having on the outside of both sides of said cart, wagon or other vehicle the placard in uncondensed gothic letters, not less than three inches in length, "licensed to sell oleomargarine."

Hotels and boarding houses, etc., where oleomargarine is used to notify guests.

SECTION 8. It shall be unlawful for any person to furnish or cause to be furnished in any hotel, boarding house, restaurant or at any lunch counter, oleomargarine, butterine or any similar substance to any guest or patron of said hotel, boarding house, restaurant or lunch counter, without first notifying such guest or patron that the substance so furnished is not butter.

Penalty for violation of law.

SECTION 9. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for the first offense by a fine of not less than fifty dollars nor more than five hundred dollars; and upon conviction of any subsequent offense, shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment in the county jail of not less than ten days nor more than sixty days, or by both such fine and imprisonment, at the discretion of the court.

Duty of the district attorney to prosecute.

SECTION 10. It shall be the duty of the district attorney in any county of the state, when

called upon by the dairy and food commissioner of this state, or any of his assistants, to render any legal assistance in his power to execute, and to prosecute the cases arising under the provisions of this act; and the dairy and food commissioner shall have power to appoint, with the approval of the governor, special counsel to prosecute or to assist in the prosecution of any case arising under the provisions of this act.

SECTION 11. All acts and parts of acts inconsistent or conflicting with this act are hereby repealed.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved March 12, 1895.

No. 70, S.] [Published March 14, 1895.

CHAPTER 31.

AN ACT to amend chapter 43, laws of 1883, entitled, "An act in relation to the departments of insurance and railroads."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

[This law is amended by ch. 88.]

Commissioner of insurance to appoint clerk and stenographer.

SECTION 1. Section 1, of chapter 43, of the laws of 1883, is hereby amended by striking out all of said section after the word "Madison" and inserting in lieu thereof the following, to-wit: "Said commissioner of insurance may also appoint in his office one clerk and one stenographer at a salary to be fixed by him, not to exceed the sum of twelve hundred dollars and six hundred dollars to each of said persons, respectively," so that said section when amended shall read as follows: "Section 1. The commissioners of insurance and

of railroads of this state shall, within ten days after the passage and approval of this act, file with the secretary of state an appointment of a deputy in each of their offices, who shall be known and designated as deputy insurance commissioner and deputy railroad commissioner, and said deputies shall take the constitutional oath of office, and file the same with the secretary of state, and they shall give such bonds to the commissioners of their respective offices as said commissioners may prescribe, and said commissioners and the sureties on their official bonds shall be responsible for the acts of said deputies. Each of said deputies shall have the same power and authority upon all matters connected with their respective offices as is now conferred by law upon said commissioners, but only when detailed to do special acts, or in case of the sickness or necessary absence of said commissioners from the city of Madison. Said commissioner of insurance may also appoint in his office one clerk and one stenographer at a salary to be fixed by him, not to exceed the sum of twelve hundred dollars and six hundred dollars to each of said persons respectively.

Deputy commissioners of railroads and insurance and clerks.

Shall appoint clerk and stenographer—salary.

SECTION 2. The salaries of said deputy railroad and insurance commissioners shall be fifteen hundred dollars per annum, payable monthly out of the state treasury upon warrants drawn by the secretary of state.

Salaries of commissioners.

SECTION 3. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 13, 1895.

No. 275, S.] [Published March 18, 1895.

CHAPTER 32.

AN ACT to appropriate money for the purchase of stationery for the use of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$8,000 for purchase of stationery for 1895 and 1896.

SECTION 1. There is hereby appropriated out of any money in the general fund, not otherwise appropriated, the sum of eight thousand dollars, for the purchase of stationery for the use of state officers and departments for the years 1895 and 1896, and for the legislative session of 1897; said sum being the amount estimated to be necessary for the purpose specified.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 229, S.] [Published March 18, 1895.

CHAPTER 33.

AN ACT to authorize the city of Black River Falls to pay its bonded indebtedness and to authorize the state treasurer to receive the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

City of Black River Falls may pay its bonded indebtedness.

SECTION 1. The treasurer of the state of Wisconsin is hereby authorized to receive from the city of Black River Falls, at any time here-

after, payments on the bonded indebtedness of said city of Black River Falls, in sums of not less than five hundred dollars, and the said city of Black River Falls is hereby authorized to make such payments at any time hereafter, before the maturity of the said indebtedness.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 97, S.] [Published March 18, 1895.

CHAPTER 34.

AN ACT to amend chapter 60, of the laws of 1893, relating to trespass on public lands.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Actions for trespass on public lands, relating thereto.

SECTION 1. Section 1, of chapter 60, of the laws of 1893, is hereby amended by striking out the words "in the county of Dane, or in the county in which the trespass shall have been committed," and inserting in lieu thereof the words "in any county in this state;" so that said section when amended shall read as follows. to-wit: Section 1. All actions brought to recover damages for trespass upon public lands, when the amount in controversy exceeds the sum of two hundred dollars, may be commenced in any county in this state, at the option of the attorney-general, and shall not be subject to any change of venue therefrom.

SECTION 2. This bill [act] shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 114, S.] [Published March 18, 1895.

CHAPTER 35.

AN ACT to amend section 1, of chapter 259, laws of 1893, entitled, "An act to provide county and city depositories and regulate the deposit of public moneys therein."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County and city depositories, law amended.

SECTION 1. Section 1, of chapter 259, of the laws of 1893, entitled, "An act to provide county and city depositories and regulate the deposit of public moneys therein," is hereby amended by striking out the word "or" in the first line of said section and inserting a comma after the word "banks," in the first line of said section, and by inserting after the word "institutions" in the second line of said section 1, the words "or trust company organized and doing business under the laws of the state of Wisconsin," so that said section 1, of chapter 259, of the laws of 1893 as amended shall read as follows: Section 1. Any bank, banks, banking institutions, or trust company organized and doing business under the laws of the state of Wisconsin, which shall be approved by the board of supervisors of any county in this state, may, upon filing bonds as hereinafter provided, and upon compliance with all other requirements of law, become a county depository.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 91, S.] [Published March 16, 1895.

CHAPTER 36.

AN ACT to provide for the employment of a stenographic reporter in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Employment of extra stenographic, reporter, when.

SECTION 1. Whenever the judge of any circuit court in this state shall call in another circuit judge to hold court in his circuit, and in consequence thereof, court shall be held by two judges at the same time, the regularly appointed reporter of that circuit shall be and hereby is directed and empowered to employ a reporter to attend upon the court so held by such outside judge and report the proceedings thereof.

Compensation.

SECTION 2. The compensation of such reporter shall be ten dollars per day for each day he shall attend such court, and be paid by the county in the same manner as other court expenses are paid. And whenever a transcript of any proceeding in such court shall be ordered by any of the parties to an action, he shall make and furnish such transcript, and may charge and collect therefor from the party so ordering, the sum of five cents per folio.

SECTION 3. This act shall be in force from and after its passage and publication.

Approved March 14, 1895.

No. 148, S.] [Published March 18, 1895.

CHAPTER 37.

AN ACT to fix the time of holding the terms of the circuit court in the several counties of the tenth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court of the Tenth judicial circuit.

SECTION 1. The general terms of the circuit court for the several counties in the tenth judicial circuit shall hereafter be held as follows: In the county of Florence, on the first Tuesday in March and the third Tuesday in September. In the county of Forest, on the second Tuesday in March and the fourth Tuesday in September. In the county of Langlade, on the third Monday in March and the first Monday in October. In the county of Outagamie on the first Tuesday in February, the third Monday in April and the second Monday in November; but no jury shall be summoned for the February term in said county. In the county of Shawano, on the third Monday in May and the first Monday in December.

SECTION 2. The several general terms of court in the counties of Langlade, Outagamie and Shawano shall be a special term for all the other counties in said circuit.

SECTION 3. All acts and parts of acts in conflict with this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 430, A.] [Published March 16, 1895.

CHAPTER 38.

AN ACT to create a municipal court in and for the county of Bayfield.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Municipal court created.

SECTION 1. There is hereby created and established in and for the county of Bayfield a municipal court, with the powers and jurisdiction hereinafter specified and provided.

Date of election.

SECTION 2. On the first Tuesday in April, 1895, and every four years thereafter, there shall be elected in the county of Bayfield, in the same manner as county judges are elected, one municipal judge, who shall hold his office for the term of four years from the first Monday of May next following his election, and until his successor is elected and qualified; and in case of vacancy occurring in the office of municipal judge, the vacancy shall be filled by appointment by the governor, and the person appointed to fill such vacancy shall continue in office for the residue of the term for which his predecessor was elected or appointed.

Term of office.

Vacancies, how filled.

Shall take and subscribe oath of office.

SECTION 3. The municipal judge before entering upon the duties of said office shall take and subscribe the constitutional oath of office, and file the same, duly certified, in the office of the clerk of the circuit court for said county, and execute to the said county a bond in the sum of one thousand dollars, with two or more sureties, to be approved by the county treasurer of said county, and recorded and filed as provided in section 702, of the revised statutes, conditioned for the faithful performance of the duties required of him by law, and for the faithful application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office.

Office to be held at the county seat.

SECTION 4. The judge of the municipal court of Bayfield county shall hold his office at the county seat of said county in the court room of the court house, or in some other suitable room in the village of Washburn, to be provided by the board of supervisors of said county.

Jurisdiction of the judge defined.

SECTION 5. The municipal judge of the county of Bayfield shall have cognizance of, and jurisdiction to hear, try and determine all actions and proceedings at law, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars, actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars exclusive of damages. The said judge shall have jurisdiction of all crimes and misdemeanors occurring in said county, to the same extent and as fully as justices of the peace now or may hereafter have, and shall also have jurisdiction to institute and conduct examinations in all criminal cases that may occur in said county, including bastardy. Said judge shall have power, and jurisdiction throughout said county to cause to come before him persons who are charged with committing any criminal offense, and to commit them to jail, or bind them over as the case may require. Said judge shall further have all the jurisdiction, authority, powers and rights given by law to justices of the peace, together with the power and right, in his discretion, to charge the jury, upon written charges; and said judge shall be subject to the same prohibitions and penalties as justices of the peace. No justice of the peace within the town of Washburn shall exercise any jurisdiction in any criminal cases, but all such jurisdiction is vested in said court and the judge thereof. The proceedings and practice of said court shall, in all respects, be governed as far as practicable by the laws relating to justices' courts of this state, and transcripts of judg-

ments of the municipal court may be filed and docketed with the clerk of the circuit court for said county, with the same effect as may be transcripts of judgment rendered by justices of the peace of said county, and appeals from said court in all cases, both in civil and criminal cases, and other proceedings may be taken in the same manner and with like effects as are provided by law from justices' courts. Nothing herein contained shall be construed to give the said municipal judge cognizance of any actions mentioned in subdivisions 1, 2, and 3 of section 3573, of chapter 154, of the revised statutes of this state.

Judgment may be rendered by confession, when.

SECTION 6. Judgment may be rendered in said municipal court by confession for any sum not exceeding one thousand dollars, in the manner provided by the statute.

Justice of the peace may sit when judge is absent.

SECTION 7. In case of sickness, absence or temporary disability of said municipal judge, he may, by an order in writing, to be filed in said court, appoint a justice of the peace of said county, to discharge such of the duties of said judge during such sickness, absence or disability as said justice of the peace by law has jurisdiction of, and said justice of the peace, while sitting in the place of said judge, shall have power to hear, try and determine such matters or proceedings.

Removal of cases from the court, when lawful.

SECTION 8. No action, examination or other proceeding shall be removed from said court, but whenever it shall appear by affidavit that the municipal judge is interested pecuniarily in the action, examination or other proceeding, or that said judge is a material witness, or is within the forbidden degree of consanguinity or from prejudice will not decide impartially in the matter, and the matter of proceeding is one of which a justice of the peace has jurisdiction, the municipal judge shall notify a justice of the peace in the county of Bayfield, not disqualified to try said case, or to hear said examination or other proceeding, as the case may be, in matters or proceedings of which a justice of the peace has no jurisdiction when such

affidavit is filed, the municipal judge shall transfer the same to the circuit court of Bayfield county, which circuit court shall thereupon have jurisdiction to hear, try and determine the same in the same manner, and with like effect as if such action or proceeding had been originally commenced in said circuit court; whereupon it shall be the duty of said justice so notified as aforesaid to forthwith appear at the court room of said municipal court, and to discharge the duties of judge of said municipal court on the trial of said case, or the hearing of said examination, or other proceeding, in the same manner and with like effect as said municipal judge would, if not disqualified to act; and the doings of said justice of the peace while so presiding over said municipal court shall have and be of the same force and effect as proceedings of said municipal judge, and when such action, examination or other proceeding is concluded a like record, as in other like cases, shall be made in said court, and thereafter and thereupon execution may be issued as in other cases tried before said municipal judge. Said justice of the peace, while presiding over said municipal court, shall receive the same fees as are allowed by law to said municipal judge for like service.

SECTION 9. Whenever any civil action shall be removed from any justice of the peace of said county of Bayfield upon the oath of said defendant, his agent or attorney, according to the provisions of law for such removal, if said defendant, his agent or attorney requests in writing to such justice, that the action be removed to said municipal court, then the action and all papers therein shall be transmitted to the presiding judge thereof, who shall proceed with the action in the same manner as if originally instituted before him.

Trial by jury.

SECTION 10. Trial by jury may be had in said court in the same manner and process as in justices' courts.

Officers of the court defined.

SECTION 11. Sheriffs and constables of Bayfield county shall have the same power to serve

and execute process of this court as of justices' courts, and shall be entitled to receive the same fees as in justices' courts, and the police officers of the town of Washburn shall have the power to serve and execute processes of this court within the town of Washburn; provided, that such police officers shall receive no fees or compensation for such services.

Dockets to be kept and entries to be made.

SECTION 12. The judge of said court shall keep one docket for criminal trials and proceedings, and a separate docket for civil actions, and all docket entries and process shall be made and kept in the same manner as far as is applicable to this court as the same are required to be kept by justices of the peace under the laws of this state; provided, always, that the municipal judge may in civil actions sign in blank, summonses, writs and other process and deliver the same to attorneys of courts of record, to be issued by them, who upon issuing any such summons, writ or other process shall file within twenty-four hours thereafter the affidavit (if any) upon which such summons, writ or process was based, and a statement of the names of the parties to the action, the date of the summons, writ or process, the time when the same is returnable and the nature of the demand or claim, upon which the said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing the summons, writ or other process.

Fees of the court defined.

SECTION 13. The municipal judge shall have and receive the same fees in all civil actions that are now allowed by law to justices of the peace for every civil action or proceeding in his court. And for his services in conducting criminal trials and examinations he shall receive a salary of three hundred dollars per year for the first term, payable quarterly at the end of each quarter out of the county treasury of said county; and thereafter his salary shall be fixed by the county board at not less than three hundred dollars per annum, but in all criminal actions and proceedings he shall

tax the same fees as justices of the peace are allowed by law to tax, and if the defendant in such suit or action is convicted, insert the amount of such fees in the entry of judgment against such defendant, and if paid by said defendant return the amount thereof, with the fine paid or collected, to the county treasurer of said county.

Jurisdiction under chapter 145, R. S.

SECTION 14. Said court shall have jurisdiction to hear, try and determine all actions arising under chapter 145, of the revised statutes, when the amount claimed shall not exceed five hundred dollars.

May try appealed cases.

SECTION 15. Said court shall have jurisdiction to try and determine all appeals in civil actions from justices of the peace in said county; provided, that in civil cases, appealable from the justices' judgments, the party appealing may, in his option, appeal to the circuit court in Bayfield county, instead of to said municipal court. And all such cases shall be certified and returned to said municipal court within ten days after the perfection of the appeal. Any action appealed to said court may be brought on for trial upon notice of ten days given by either party to the other. In case neither party shall notice such appeal, or bring the same to trial within six months, the appeal shall be dismissed with ten dollars costs against the appellant. Appeals shall be made to such court in the same manner that they are now made from justice to circuit court.

Fees for appealed cases.

SECTION 16. In appealed cases tried and determined in said court upon the record of the court below, or any question of law or fact appearing in such record, the judge of said court shall be entitled to receive the sum of five dollars and no more, as and for his fees, and the prevailing party in appealed cases shall be entitled to recover the sum of five dollars attorney's fees.

Seal may be provided.

SECTION 17. The municipal judge may provide a seal for said court, and all papers, depositions, certificates, acknowledgments, examinations and other documents executed or

signed by said judge when sealed with the seal of the court, shall be evidence in all courts and places in this state, and shall have the same effect as the seal of a court of record.

Jurisdiction after judgments the same as possessed by circuit judges in certain cases.

SECTION 18. For ten days after judgment in civil actions, and for twenty-four hours after judgment in criminal causes over which said court has jurisdiction to hear, try and determine, the said municipal judge shall have, and he is hereby vested with the same power over verdicts, judgments, rulings, orders and proceedings in his court as are possessed by the circuit courts over their judgments, orders and proceedings at or before trial or judgment and during trial term. And said municipal judge may direct or set aside verdicts, grant new trials on payment of all costs or on such conditions as to costs as justice requires, modify and reverse judgments and orders, of his said court, or of the judge thereof, or do any act or thing which circuit courts may do during trial term, being governed therein by the general law and practice of the circuit courts, as near as may be, where the rules of law for justice courts are inadequate or do not apply. New trials, if granted, must be granted within ten days after judgment in civil cases, and within twenty-four hours after judgment in criminal causes, except on substituted service by publication in civil cases, where the rules for justices' courts shall apply; if granted upon the grounds of newly discovered evidence, it may be granted at any time within six months after judgment. If a jury should disagree, said judge shall forthwith fix a time for a new trial. All motions and matters of practice subsequent to judgment in said municipal court, shall be decided, except as herein provided, within ten days after judgment.

Appeals from municipal court to be taken to the circuit court.

SECTION 19. Appeals from said municipal court shall be taken to the circuit court for Bayfield county, and when not otherwise provided, the law relating to appeals from justices' courts shall apply. The same affidavit and notice, in substance, shall be made and

Procedure defined.

given as upon appeal from justices' court. Any party to a final judgment, or to an order affecting a substantial right, made after judgment, may appeal; any party desiring to appeal, may, upon motion, the opposite party or parties having had five days' notice in writing, or a less time on an order to show cause, in civil actions or proceedings, and on twelve hours' notice in criminal actions or proceedings, move the court for a reversal, in whole or in part, of the judgment or order made for a new trial, for an order setting aside a verdict, or for such relief as the party may consider himself lawfully entitled to, and the judge shall enter his orders or rulings granting or refusing the relief prayed for, within ten days after judgment in civil cases, and within twenty-four hours after judgment in criminal actions. In civil cases the appeal must be taken within twenty days after judgment is rendered, and in criminal causes within twenty-four hours after judgment. Appeals shall be from the judgment and final orders affecting a substantial right made subsequent to judgment, and the appeal shall open up for trial in circuit court, both the law and the facts in the whole case. The party first appealing shall pay the judge's fees, including costs of transcribing hereinbefore provided, together with one dollar for his return, one dollar for state tax, and two dollars for clerk's fees for the clerk of the court appealed to, except in criminal cases where no fees are required to be advanced by the defendant therein; upon receipt of the fees hereinbefore provided to be paid, and not till then, the municipal judge shall make a transcript of his docket and a return in the same manner as in an appeal from justices' court, and transmit the record and all the papers in the case to the clerk of the circuit court for said county, within ten days after the appeal is perfected, and said clerk shall file the same, and to the end that a true and correct record be kept, said municipal judge may, at any time on motion of himself or

of a party to the action, or upon an order or suggestion from the appellate court, all parties interested having notice, correct his minutes or his record, so as to show the very truth of the matter. Attorneys practicing in said court may ask that instructions be given to juries, and allege objections to rulings or orders of said court, according to the rules of practice in circuit courts.

Dockets, etc., to be public records.

SECTION 20. The dockets and records of said municipal court shall be public records, open to the inspection of all persons at every reasonable hour.

Attorney's costs.

SECTION 21. In all actions in the municipal court for the county of Bayfield attorney's fees shall be taxed and allowed as provided in subdivision 4, of section 3775, of the revised statutes.

Election of 1895, three days' notice only required.

SECTION 22. The county clerk of Bayfield county shall give at least three days' notice of the election of said judge to be held on the first Tuesday in April, 1895, and it shall not be necessary at said election for the candidates for said office to file nomination papers nor shall it be necessary that the names of the candidates be printed in the official ticket, unless this act shall be published and in force eighteen days before said election.

Needful stationery, etc., to be furnished.

SECTION 23. All needful stationery and all blanks required by said court in criminal actions and examinations, and judge's dockets required by law, shall be furnished at the expense of Bayfield county.

SECTION 24. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 25. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 8, S.] [Published March 18, 1895.

CHAPTER 39.

AN ACT to amend chapter 287, of the laws of 1885, as amended by chapter 389, of the laws of 1891, as amended by chapter 229, of the laws of 1893, relating to the distribution of the state school tax.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Apportionment of school moneys by the state superintendent: how done and when.

SECTION 1. Chapter 287, of the laws of 1885, as amended by chapter 389, of the laws of 1891, as amended by chapter 229, of the laws of 1893, is hereby amended by adding to section 1 thereof as follows: The state superintendent shall apportion the school moneys each county will be entitled to receive under the provisions of this act, on or before the first day of November in each year, and certify the apportionment so made to the secretary of state and the state treasurer, and he shall, at the same time, certify to each county clerk and county treasurer, the amount of said tax to which each town, city and village, in their respective counties, is entitled. Upon receiving such apportionment the secretary of state shall immediately inform the county clerk and the treasurer of each county, of the amount of state school tax such county will be required to levy, and the amount it will be entitled to receive in return as its portion of the school fund accruing under the provisions of this act.

County treasurer to pay school moneys into state treasury in excess of amount due county

SECTION 2. At the same time that taxes levied for other state purposes are now required to be paid into the state treasury, the county treasurer of each county shall pay over to the state treasurer the school moneys arising under the provisions of this act, in excess of the amount such county is entitled to receive in return as its portion of the state school tax. But if a larger amount should be due

any county than such county was required to pay, the state treasurer shall pay to the treasurer of such county, at the time of the payment of the state tax assessed against the county, the amount due the county in excess of the state school tax levied upon it.

Receipts to be exchanged, when.

SECTION 3. At the time of making a settlement between the state and any county, on account of any state school tax levied upon the county, by the treasurers, receipts shall be exchanged by such treasurers, showing that the full amount assessed against the county as a state school tax has been accounted for to the state, and in turn, that the amount due the county on account of a state school tax, has been accounted for to the county by the state treasurer; and within ten days from the settlement herein specified, the several county treasurers shall pay over to the several town, city and village treasurers, the amount to which they are respectively entitled by the apportionment made by the state superintendent.

Balances only to be paid in money.

SECTION 4. It is hereby declared to be the true intent and meaning of this act, to provide for an earlier distribution to the counties of the moneys collected as a state school tax, and that only the balances that may be due any county, or the state, as the case may be, shall be paid in money at the time of settling accounts between the county and the state, in so far as they relate to the state school tax.

SECTION 5. All acts and parts of acts in so far as they conflict with the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 14, 1895.

No. 61, S.] [Published March 18, 1895.

CHAPTER 40.

AN ACT to amend chapter 247, of the laws of Wisconsin for the year 1885, and acts amendatory thereto.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expense account of commissioner of labor and statistics to be audited and paid on vouchers.

SECTION 1. Section 11, of chapter 247, of the laws of Wisconsin for the year 1885, is hereby amended by striking out the words "and a sum not exceeding one thousand dollars per annum for traveling and contingent expenses," and inserting in lieu thereof the words "and necessary traveling expenses, to be audited by the secretary of state upon proper vouchers," so that said section when so amended shall read as follows: Section 11. The compensation of the said commissioner shall be two thousand dollars per annum and necessary traveling expenses, to be audited by the secretary of state upon proper vouchers, and a further sum of fifty dollars per annum for the purchase of books and periodicals on labor and industrial matters for the bureau library. There is hereby appropriated annually out of any moneys in the treasury not otherwise appropriated, a sum sufficient to carry out the purpose of this act.

SECTION 2. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall be in full force and effect from and after its passage and publication.

Approved March 14, 1895.

No. 305, S.] [Published March 16, 1895.

CHAPTER 41.

AN ACT relating to the building of public libraries and museums.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Respecting the erection of public libraries and museums.

SECTION 1. In all cities in this state, wherein there exists boards known as "a board of public works," "a board of trustees of the public library," and "a board of trustees of the public museum," and wherein authority shall have heretofore been granted to erect and construct a building or buildings for a public library and public museum, the work of such erection and construction shall be done by the board of public works, under the direction and supervision of the board of trustees of the public library and the board of trustees of the public museum, acting together as a joint board. The board of public works being hereby authorized to enter into a contract or contracts for doing all work of erecting and constructing such building; but no contract shall be let authorizing the expenditure of a greater sum of money than heretofore appropriated or authorized by law, or shall be hereafter appropriated or authorized by the common council of such city.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1895.

No. 113, A.] [Published March 19, 1895.

CHAPTER 42.

AN ACT providing for the collection of public taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

No taxes to be paid in a saloon.

SECTION 1. No city, county, village or town treasurer or tax collector shall collect or receive any taxes levied in the state of Wisconsin in any room where malt or intoxicating liquors are sold, given away or otherwise disposed of.

Penalty for evading this law.

SECTION 2. Any person violating the provision of this act shall be subject to a fine not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than ten or more than thirty days.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 155, A.] [Published March 19, 1895.

CHAPTER 43.

AN ACT to amend section 1121, of the revised statutes, relating to the collection and payment of taxes by county treasurers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State taxes in certain counties; when payable.

SECTION 1. Section 1121, of the revised statutes of Wisconsin, as amended by chapter 202, of the laws of 1879, is hereby amended by add-

ing after the word "Marathon" in said section the word "Oneida," so that said section shall read as follows: The several county treasurers shall pay to the state treasurer the amount of state taxes charged to their respective counties, on or before the first Monday of February in each year, except that the treasurers of the counties of Douglas, Polk, Bayfield, Burnett, Marathon, Oneida and Ashland, shall pay such taxes on or before the second Monday of July in each year.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 278, A.] [Published March 19, 1895.

CHAPTER 44.

AN ACT requiring the commissioner of insurance to make a full report annually, relating to all the matters in his office.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The commissioner of insurance of this state shall keep and preserve, in a permanent form, a full record of his proceedings, including a concise statement of the condition of each company reported, visited or examined by him; and he shall, annually, at the earliest practicable date after the returns are received, from the several companies, make a report to the governor of the general conduct and condition of the insurance companies doing business in this state, arranged in tabular form, or in abstracts, in classes, according to the different kinds of insurance, which report shall also contain:

Commissioner of insurance to make a report.

What to contain.

Statement of business done.

1. A statement of all insurance companies authorized to do business in this state during the year ending the thirty-first day of December next preceding with their names, locations, amounts of capital, dates of incorporation, and of the commencement of business, and kinds of insurance in which they are engaged respectively.

Corporations, who have ceased to do business.

2. A statement of the insurance corporations which have ceased to do business in this state during such year and the reasons for the same; also a statement of the insurance corporations admitted during the year, together with a statement of insurance corporations refused admission and reasons therefor.

Desirable amendments to be recommended.

3. Any amendments to the insurance law which in his judgment may be desirable, and such other information and comments in relation to insurance and the public interest therein as he deems fit to communicate.

Names and compensation of clerks.

4. The names and compensation of the clerks employed by him, the whole amount of the expenses of the department, the amount of taxes and fees paid by each corporation, and the amount and date of payment of the same to the state treasurer.

2,000 copies of report to be printed.

SECTION 2. There shall be printed and in readiness for distribution by the state printer, two thousand copies of such report for the use of the governor, legislature and department of insurance, and said commissioner may, in his discretion cause to be bound together or separately the portions relating to life and fire insurance.

Shall make daily payments into the state treasury.

SECTION 3. The commissioner of insurance shall make daily payments to the state treasurer of all fees and taxes received and shall, on the first day of each month, report in detail the receipts of his department during the preceding month, to the governor, secretary of state and state treasurer, together with the dates of such payments to the state treasurer, and it shall be the duty of the governor, secretary of state and state treasurer to make quar-

terly examinations, and audit the books and records of the department of insurance.

SECTION 4. All acts inconsistent herewith are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 161, A.] [Published March 19, 1895.

CHAPTER 45.

AN ACT to provide for the waiving of a jury in certain cases in Milwaukee county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Jury may be waived, when.

SECTION 1. In any case in the municipal court of Milwaukee county, on appeal from the judgment of any justice of the peace, or upon information filed or indictment found, excepting where the offense charged is murder, the accused may waive a trial by jury by written consent filed in open court.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 335, A.] [Published March 19, 1895.

CHAPTER 46.

AN ACT to authorize the supervisors of the town of Lowville, Columbia county, Wisconsin, to alter, change and discontinue a portion of the territorial road known as the road laid from Jefferson, in Jefferson county, to Fort Winnebago, in Columbia county, within the limits of township number eleven (11) north, range number ten (10) east, in the county of Columbia, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to discontinue or alter territorial road.

SECTION 1. The supervisors of the town of Lowville, in the county of Columbia, Wisconsin, are hereby authorized and permitted to alter, change and discontinue a portion of the territorial road known as the territorial road laid from Jefferson, in Jefferson county, to Fort Winnebago, in Columbia county, running through section number one (1) and within the limits of township number eleven (11) north, range number ten (10) east, in the county of Columbia and state of Wisconsin, in the same manner and with like effect as is provided for by the provisions of section 1265, of Sanborn and Berryman's annotated statutes of the state of Wisconsin, provided for the alteration and change of roads other than state roads.

Statutes quoted not to prevent.

SECTION 2. Nothing contained in the provisions of sections 1265 and 1300 of Sanborn and Berryman's annotated statutes of the state of Wisconsin shall be construed so as to prevent or prohibit the alteration, change and discontinuance of that portion of said territorial road in the manner provided by section number one of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 49, A.] [Published March 19, 1895.

CHAPTER 47.

AN ACT to amend chapter 288, laws of 1889, entitled, "An act to amend chapter 426, laws of 1887, entitled, 'An act to appropriate a portion of the common school fund income for the purchase of a school library.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 288, of the general laws of 1889, entitled, "An act to amend chapter 426, laws of 1887, entitled, 'An act to appropriate a portion of the common school fund income for the purchase of a school library,'" is hereby amended to read as follows: Section 1. The treasurer of each town in this state shall withhold annually from the money received from the school fund income for the several school districts whose schoolhouses are located in the town of which he is the treasurer, an amount equal to ten cents for each person of school age residing in such districts for the purchase of books as hereinafter provided. School library law amended.

SECTION 2. Between the tenth day of July and the thirty-first day of August in each year the town clerk, with the assistance of the county superintendent of schools, shall expend all money withheld by the town treasurer as provided in section 1, of this act, in the purchase of books selected from the lists prepared by the state superintendent as hereinafter provided, for the use of the several school districts from which money has been so withheld, and he shall distribute the books thus selected and purchased among the several school districts, in proportion to the sums of money withheld from each. When money shall be expended.

SECTION 3. It is hereby made the duty of the state superintendent to prepare annually State supt. to prepare a list of books biennially.

or biennially, as he may deem necessary, lists of books suitable for use in school district libraries, and furnish copies of such lists to each town clerk and each county superintendent, as often as the same shall be published or revised, from which lists the several town clerks shall select and purchase books for use in the public school libraries in the several towns of the state as provided in this act.

Record of books purchased to be kept.

SECTION 4. It shall be the duty of each town clerk to keep a complete record of the books purchased by him and distributed to the several school districts, in a record book furnished by the state superintendent upon application, and he is hereby authorized from time to time, as he may deem necessary, to collect and re-distribute among the several school districts the books, purchased under the provisions of this act, in the same manner, as provided for first distribution, to the end that each district may have the use of all books purchased for use in the school district libraries of the town. For such services properly rendered, the town clerk shall be allowed the usual per diem of two dollars for the time actually and necessarily spent.

District clerk to be librarian of the district.

SECTION 5. Unless the school district shall, at the annual meeting, elect some other person to be librarian of the district, the district clerk shall act as librarian for the district and shall receive and have the care and custody of the books, distributed to the district, pursuant to the provisions of this act, and shall loan them to teachers, pupils and other residents of the district in accordance with rules and regulations prescribed by the state superintendent. It is further provided that during the periods that the school is in session the library shall be placed in the schoolhouse and the teacher shall act as librarian under the supervision of the district clerk or of the librarian elected at the annual meeting. The state superintendent shall have authority to suspend the operation of this act for any year in any or every town, by giving due notice of such suspension

to the respective town clerks on or before the tenth day of June.

SECTION 6. The superintendent of farm institutes shall deposit, each year, with the state superintendent of public instruction, a sufficient number of copies of the farm institute bulletin to supply every public school library of the state with one copy of each edition of said bulletin, which bulletins the state superintendent shall send to the various town clerks who shall distribute them to the public school libraries of the schools in their respective towns, from which libraries the said bulletins shall be loaned in like manner and under the same regulations prescribed for the loaning of books from the public school libraries of the state.

Farm institute bulletins to be deposited with the districts.

SECTION 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 373, A.] [Published March 19, 1895.

CHAPTER 48.

AN ACT to authorize the transfer of records to the proper county seats and to legalize the use of certified copies of such records for any and all purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Where a portion of the territory in any county in this state has been set off and made a part of another or different county, so that the original records of conveyances,

Regarding the custody of original records of divided counties.

affecting the title to lands so set off shall be and remain in such original county, it shall be lawful for the county board of supervisors of such new county, so formed, to authorize and direct the register of deeds of either the original or the new county to prepare a volume or volumes containing true and correct copies (with an entry in the margin of each conveyance showing the volume and page) of all such original records of conveyances, for recording in such new and proper county, and when such original records shall be so transcribed and compared by either of said registers of deeds, aforesaid, a certificate of such registers of deeds, or of either of them, shall be entered at the end of each transcribed volume under the hand and official seal of such register of deeds to the effect that he has carefully compared the same with such originals and that the foregoing are true and correct copies of such original records and of each and every part of the same as well as of the whole thereof. Thereupon such certified volume or volumes of records shall be placed in the office of the register of deeds of such new or proper county; and when so done such certified record or records shall have the same force and effect as such originals. And a copy of such certified records or of any of them shall be received in all courts and places as a copy of the original record.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 374, A.] [Published March 19, 1895.

CHAPTER 49.

AN ACT to appropriate a sum of money to the Wisconsin State Dairymen's Association.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby annually appropriated out of any money in the treasury not otherwise appropriated, the sum of two thousand dollars to the Wisconsin State Dairymen's Association. $2,000 appropriated annually.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 384, A.] [Published March 19, 1895.

CHAPTER 50.

AN ACT to appropriate a certain sum of money therein named to pay for the Wisconsin supreme court reports furnished Price county under joint resolution No. 13, A.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any moneys in the treasury not otherwise appropriated, the sum of one hundred and seventy-one dollars, the same being the amount to pay for the Wisconsin supreme court reports furnished Price county, under joint resolution No. 13, A. $171 appropriated for supreme court reports.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 16, 1895.

No. 45, A.] [Published March 22, 1895.

CHAPTER 51.

AN ACT to appropriate the sums of money therein named to the Wisconsin Industrial School for Girls.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$30,000 appropriated for the years 1895 and 1896.

SECTION 1. There is hereby appropriated out of any money in the general fund, not otherwise appropriated, to the Wisconsin Industrial School for Girls, the following sums of money: For the repairs of buildings and care of property belonging to the state of Wisconsin, and occupied by said school at North Point, in the city of Milwaukee, during the ensuing two years, namely, 1895 and 1896, the sum of five thousand dollars. For the erection, construction and furnishing of additional buildings upon the land belonging to the state of Wisconsin, and occupied by the said Wisconsin Industrial School for Girls at North Point aforesaid, the sum of twenty-five thousand dollars; provided, however, that the plans and specifications for said buildings shall be first submitted to the governor and secretary of state for their approval.

Correct account of disbursements to be kept.

SECTION 2. A correct account shall be kept by the managers of said school, of the expenditures of said sums hereby appropriated, and the same shall be reported to the governor and

legislature in the next annual and biennial reports of said school.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 20, 1895.

No. 394, S.] [Published March 22, 1895.

CHAPTER 52.

AN ACT to authorize the transfer of moneys from the trust funds to the general fund of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The secretary of state and state treasurer, by and with the consent of the governor, are hereby authorized to loan from the trust funds of the state to the general fund, in case it may become necessary to meet the expenses of the state government, a sum sufficient for this purpose, to be repaid to the trust funds from the general fund revenues of the state for the fiscal year ending September 30, 1896. Transfer of state funds authorized.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 279, A.] [Published March 22, 1895.

CHAPTER 53.

AN ACT to appropriate a sum of money to persons therein named for expenses incurred as legislative visiting committee to state institutions.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$300 for legislative committee.

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, for expenses incurred as visiting committee of the legislature for 1894 and 1895 to state institutions, to R. M. Bashford, L. A. Lange and Frank A. Anson the sum of one hundred dollars each.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 287, A.] [Published March 22, 1895.

CHAPTER 54.

AN ACT to create lumber inspection district number seventeen and to provide an inspector therefor, amending section 1730 as amended by chapter 225, laws of 1881, chapter 193, laws of 1882, chapter 112, laws of 1885, and chapter 387, laws of 1889.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lumber district number 17 created.

SECTION 1. Section 1730, of the revised statutes, as amended by chapter 225, of the laws of

1881, chapter 193, of the laws of 1882, chapter 112, of the laws of 1885, and chapter 387, of the laws of 1889, is hereby amended by adding thereto the following: "All the territory within which logs, timber or lumber are cut to be banked on the Wisconsin river north of the south boundary line of Oneida county, and on the tributaries of said river flowing into the same, north of said boundary line, is hereby established and shall be known as inspection district number seventeen.

Governor to appoint an inspector.

SECTION 2. The governor of the state of Wisconsin shall appoint an inspector of lumber district number seventeen who shall reside and keep his office in the city of Rhinelander, in Oneida county, Wisconsin, and shall be responsible for his acts and the acts of his deputies the same as now provided by law.

SECTION 3. All acts and parts of acts so far as they conflict with this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 332, A.] [Published March 22, 1895.

CHAPTER 55.

AN ACT to authorize the Bank of Barron to reduce its capital stock from fifty thousand dollars to twenty-five thousand dollars.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to reduce capital stock.

SECTION 1. The Bank of Barron, located in the city of Barron, county of Barron, state of Wisconsin, is hereby authorized to reduce its

capital stock from fifty thousand dollars to twenty-five thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 337, A.] [Published March 22, 1895.

CHAPTER 56.

AN ACT to authorize the International Bank of West Superior, Wisconsin, to reduce its capital stock from one hundred thousand dollars to fifty thousand dollars.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to reduce capital stock.

SECTION 1. The International Bank of West Superior, Wisconsin, doing business in the city of Superior, county of Douglas and state of Wisconsin, is hereby authorized to reduce its capital stock from one hundred thousand dollars to fifty thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 404, A.] [Published March 22, 1895.

CHAPTER 57.

AN ACT to authorize the Bank of River Falls to reduce its capital stock from forty thousand dollars to twenty-five thousand dollars.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The Bank of River Falls, located in the city of River Falls, Pierce county, Wisconsin, is hereby authorized to reduce its capital stock from forty thousand dollars to twenty-five thousand dollars. Authorized to reduce capital stock.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 370, A.] [Published March 22, 1895.

CHAPTER 58.

AN ACT to authorize Charles M. Upham and F. W. Humphrey, their heirs or assigns, to construct and maintain a dam across the Wolf river, in Shawano county, state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Charles M. Upham and F. W. Humphrey, their heirs or assigns, are hereby authorized to construct and maintain a dam across the Wolf river, in Shawano county, Wisconsin, for manufacturing and other purposes, Authorized to construct a dam.

and to erect and maintain such piers and booms in connection therewith as may be necessary or convenient for holding, storing, assorting, driving and handling logs and manufacturing lumber. Said dam shall be constructed and maintained on sections one or thirteen, or either of them, in township twenty-seven, range fifteen east. Logs destined for points below on said river shall not be detained longer than may be necessary to separate from the general drives of logs such as may be intended for manufacturing at or near said dam; provided, that said dam shall not exceed twenty feet in height and shall be so constructed as not to obstruct or impede the running of logs, timber or lumber down said river; provided further, that a suitable slide, sufficient in width, shall be maintained at the expense of the owners of said dam, with guide booms and permanent piers so as to pass all logs, timber and lumber down and over said slide without delay, hindrance or waste.

Flowage rights granted.

SECTION 2. The said parties aforesaid, their associates, heirs and assigns, for the purpose of acquiring any flowage rights that they may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by section 1777, of the revised statutes of Wisconsin, as amended by chapter 318, of the laws of 1882.

SECTION 3. The right to repeal or amend this act is hereby reserved.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 551, A.] [Published March 22, 1895.

CHAPTER 59.

AN ACT authorizing Ole Johnson and others to erect and maintain a dam across Hay river, in Barron county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Ole Johnson, his associates, heirs and assigns, are hereby authorized to erect and maintain a dam across Hay river, in Barron county, on land now owned or which shall hereafter be acquired by purchase or lease by said Ole Johnson, his associates, heirs and assigns, on the north half of the northeast quarter of section twenty, in township thirty-three north, of range thirteen west; said dam to be constructed for hydraulic, manufacturing and boomage purposes, and the said Ole Johnson, his associates, heirs and assigns, are authorized to erect and maintain mills, machinery and necessary appendages to enable them to use the water of said river for the aforesaid purposes; provided, that said dam shall not raise the water to exceed eight feet above the natural channel. Authorized to construct a dam.

SECTION 2. The said Ole Johnson, his associates, heirs and assigns, shall build a suitable slide in said dam for running logs and timber over the same, and shall keep the same in repair. Said slide shall be kept open at all times when the said river is at driving stage, and there are logs and timber to run over the said dam. The said Ole Johnson, his associates, heirs and assigns, may erect and maintain booms for the sorting of logs passing into the mill pond hereby authorized to be created; provided, that said booms shall be constructed so as to allow free passage of logs or timber; Shall build suitable slides and may charge toll.

and that the said Ole Johnson, his associates, heirs and assigns, shall put through the said dam all logs and timber owned or controlled by any other person or corporation free of cost without hindrance or delay, and shall maintain a sufficient head of water for that purpose.

Control of dam

SECTION 3. The control of said dam and slides shall belong to the said Ole Johnson, his associates, heirs and assigns, but subject always to the provisions of section 2, of this act.

Flowage rights.

SECTION 4. The dam so erected shall be subject to all provisions of chapter 146, of the revised statutes of 1878, and acts amendatory may be applied; provided, however, that the said Ole Johnson, his associates, heirs and assigns, for the purpose of ascertaining the compensation to be made for overflowing or otherwise injuring the lands of others, may within six months from and after the passage and publication of this act, proceed according to the provisions of chapter 318, of the laws of 1882, and acts amendatory thereof.

Legislature reserves rights.

SECTION 5. The legislature hereby reserves the right to alter, amend and repeal the franchises granted in this act whenever in the judgment of the legislature it is necessary or proper to do so.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 647, A.] [Published March 23, 1895.

CHAPTER 60.

AN ACT to authorize Henry Sherry and A. L. Maxwell to build and maintain a dam across Turtle river in Iron county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized and empowered to construct, maintain and keep a dam or dams across Turtle river, on such part thereof as they may select in the county of Iron and state of Wisconsin, for the purpose of improving the navigation of said river and facilitating the driving of logs, timber or lumber down the same, and for hydraulic and manufacturing purposes; providing that said dam or dams shall be subject to all the provisions of law relating to the flowage of lands, and shall not interfere with the rights of any person heretofore acquired. The aforesaid persons, their successors, heirs or assigns, shall build suitable slides or chutes in said dam or dams of sufficient width for running logs, timber or lumber over the same, and shall keep the same in repair. Authorized to construct a dam.

SECTION 2. The control of said dam or dams, the slides, gates and chutes of the same, shall belong to said Henry Sherry and A. L. Maxwell, their heirs and assigns, and to be under their exclusive control, subject always to the driving purpose of section 1, of this act. The said dam or dams shall be kept open at all times when the river is at a driving stage and there are logs, timber or lumber to run over the said dam or dams. Control of dam.

SECTION 3. As compensation for the improvement of said Turtle river, and for facilitating the driving of logs and timber down the same, when said Henry Sherry and A. L. Compensation and toll that may be charged for the running of logs through the sluices.

Maxwell, their heirs and assigns, shall have erected and maintained said dam or dams across said river aforesaid, they shall be entitled, and they are hereby authorized and empowered to demand, receive, levy, sue for and collect as a toll the sum of ten cents per thousand feet, board measure, on all logs or timber sluiced or driven through or by the aid of said dam or dams or the waters collected therein. And the said Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized and empowered to demand and receive the said toll before they shall be required to permit the use of the water retained by said dam or dams for the purpose of sluicing or driving any logs or timber on said river, and in case any logs or timber are sluiced or driven down said river through or below said dam or dams with the consent of said Henry Sherry and A. L. Maxwell, their heirs and assigns, or otherwise, without the toll thereon having first been paid, the said toll shall be and remain a lien upon all of said logs or timber bearing the same mark until the said toll is paid, which said lien shall take precedence of any or all liens or claims upon said logs or timber except liens for labor; and the lien hereby given shall be enforced in the same manner and with like effect as liens for labor upon logs, as provided in chapter 143, of the revised statutes of 1878, and the several acts of the legislature amendatory thereof, which said chapter and the several acts amendatory thereof are hereby made applicable hereunto, except that the statement of the debt or demand therein required to be filed in the office of the clerk of the circuit court may be filed at any time prior to the first day of October in the year in which the last sluicing or driving of such logs or timber shall have been cut. The owner or owners of any logs or timber sluiced or driven down said river, through or below said dam or dams, shall be liable for the toll thereof, and any person having a mortgage upon said logs at the time the same are so sluiced or driven, who shall

afterwards sell or take possession of such logs by virtue of the said mortgage, shall thereby become liable for the toll due thereon, and the said Henry Sherry and A. L. Maxwell, their heirs and assigns, are hereby authorized to sue for, collect and receive the same from such mortgagee.

SECTION 4. The right to alter, amend or repeal this act is hereby reserved.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 339, S.] [Published March 22, 1895.

CHAPTER 61.

AN ACT to amend chapter 98, of the laws of 1881, entitled, "An act to provide for a consolidation of joint school districts numbers two and five of the city and town of Ripon, and to provide for the support and management of public schools therein."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That section 2, of said chapter 98, of the laws of 1881, be and the same is hereby amended to read as follows: Section 2. There shall be elected in each of the First and Third wards of said city of Ripon, at the time of holding the charter election in April, 1895, two (2) commissioners of public schools, by the qualified electors within the territorial limits of said union school district, one of which commissioners shall be elected in each of said wards for a term of two (2) years and one for a term of three (3) years; and at each succeeding annual charter election thereafter there

Consolidation of Jt. school districts.

shall be elected in each ward of said city, wherein the term of one of the school commissioners is about to expire, one commissioner for a term of three (3) years; said commissioners to receive no salary for their services. The electors residing in the town of Ripon, within the limits of joint school district number two aforesaid, shall be eligible to the office of commissioner and shall vote for such commissioners in the Fourth ward of said city; and the electors residing in the town of Ripon within the limits of joint school district number five aforesaid, shall in like manner, be eligible to said office, and shall vote for such commissioners in the First ward of said city.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 222, S.] [Published March 23, 1895.

CHAPTER 62.

AN ACT to amend chapter 312, of the laws of 1893, entitled, An act to amend chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes and providing for their incorporation and government."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Districts containing 1,500 may incorporate.

SECTION 1. Section 2, of chapter 312, laws of 1893, is hereby amended by striking out the words "two thousand," in the fourth line of said section, and inserting the words "fifteen hundred," so that said section 2, chapter 312, of the laws of 1893, when so amended, will read as follows: Section 2. Any district containing a population of fifteen hundred or over,

and not heretofore incorporated as a city, may become incorporated under this act in the manner heretofore specified.

How incorporation may be effected.

SECTION 2. Section 3, of chapter 312, laws of 1893, is hereby amended by striking out the words "two thousand" where they appear in said section 3, and inserting the words "fifteen hundred," so that said section 3, chapter 312, of the laws of 1893, when so amended, will read as follows: Section 3. One hundred or more electors and taxpayers of any village, incorporated or unincorporated under the laws of this state, may apply, by petition, to the trustees of such village or to the proper town board of supervisors, to have the question of incorporating said village, or the same and adjacent territory, containing a population of not less than fifteen hundred, as a city, submitted to a vote of the electors of the territory described in such petition; provided, that in case it is proposed to include territory adjacent to such village, the consent, in writing, of a majority of the electors residing therein, and the owners of at least one-third of the taxable property in such territory, according to the last assessment roll, shall be presented with said petition.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 21, 1895.

No. 75, A.] [Published March 23, 1895.

CHAPTER 63.

AN ACT to create a municipal court for the county of Oneida.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Municipal court created.

SECTION 1. There is hereby created and established, in and for the county of Oneida, a municipal court, with the powers and jurisdiction hereinafter specified and provided.

Term of office—when to begin.

SECTION 2. On the first Tuesday in April, A. D. 1895, and every four years thereafter, there shall be elected in the county of Oneida, in the same manner as county judges are elected, one municipal judge, who shall hold his office for the term of four years from the first Monday of May next following his election, and until his successor is elected and qualified; and in case of vacancy occurring in the office of municipal judge the vacancy shall be filled by appointment by the governor, and the person appointed to fill such vacancy shall continue in office for the residue of the term for which his predecessor was elected or appointed.

Who is eligible to the office of judge.

SECTION 3. No person shall be eligible to the office of judge of said municipal court except an attorney of a court of record.

Shall take and subscribe the oath of office.

SECTION 4. The municipal judge, before entering upon the duties of said office, shall take and subscribe the constitutional oath of office, and file the same, duly certified, in the office of the clerk of the circuit court for said county, and execute to the said county a bond in the sum of three thousand dollars, with two or more sureties, to be approved by the county treasurer of said county, and recorded and filed as provided in section 702, of the revised statutes, conditioned for the faithful performance of the duties required of him by law, and

for the faithful application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office.

Where the office shall be located.

SECTION 5. The judge of said municipal court of Oneida county shall hold his office at the county seat of said county in a suitable room for such purpose, to be provided by the judge of said court at his own expense; provided, that such judge may hold court in the court room of the Oneida county courthouse, if he so desires.

Jurisdiction and powers o the judge defined.

SECTION 6. The municipal judge of the county of Oneida shall have cognizance of, and jurisdiction to hear, try and determine all actions and proceedings at law, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars, actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars. Said municipal judge shall have and exercise within said county the criminal jurisdiction of justices of the peace in the state of Wisconsin, and the justices of the peace of Oneida county shall not have or exercise any criminal jurisdiction whatever. Said judge shall further have all the jurisdiction, authority, powers and rights, given by law to justices of the peace, and shall be subject to the same prohibitions and penalties as justices of the peace. The proceedings and practice of said court shall, in all respects, be governed as far as practicable, by the laws relating to justices' courts of this state, and transcripts of the judgments of the municipal court may be filed and docketed with the clerk of the circuit court for said county, with the same effect as transcripts of judgments rendered by justices of the peace of said county may be, and appeals, civil and criminal, from said court, may be taken in the same manner and with like effect as are provided by law from courts of justices of the

peace. Nothing herein contained shall be construed to give said municipal judge cognizance of any actions mentioned in subdivisions 1, 2 and 3, of section 3573, of chapter 154, of the revised statutes.

Judgment by confession may be entered.

SECTION 7. A judgment by confession may be entered before the judge of the municipal court for the county of Oneida, in any sum not exceeding five hundred dollars, without action, either for money due or to become due, or to secure any person against contingent liability on behalf of the defendant, or both, if a statement in writing be made, signed by the defendant, and verified by his oath to the following effect: First: It must state the amount for which judgment may be entered, and authorize the entry of judgment therefor by the municipal judge of said court. Second: If it be money due, or to become due, it must state concisely the fact out of which it arose, and must show that the sum confessed therefor is justly due or to become due. Third: If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the fact constituting the liability, and must show that the sum confessed does not exceed the same.

In case of absence of the judge, mode of procedure defined.

SECTION 8. In case of the absence of the municipal judge of said county, or his inability to act as municipal judge for any reason, he shall enter an order in his docket, designating some justice of the peace of said county to perform such of the duties of the municipal judge during his absence, or while said inability shall continue, as such justice of the peace has jurisdiction of, and shall cause such justice of the peace to be notified of said order. In case of a vacancy in the office of the municipal judge, or in case he shall be absent or unable for any cause to act as municipal judge, but shall fail to enter the aforesaid order in his docket, the nearest justice of the peace shall have all the powers and jurisdiction of the municipal judge while such vacancy, absence or inability to act shall continue, in relation to matters

and proceedings that he has jurisdiction to try, hear or determine. It shall be the duty of the person so designated by the order of the municipal judge, or in the absence of such order, by his being the nearest justice of the peace as aforesaid, to hold the said municipal court and discharge all the duties of said municipal judge that such justice of the peace has jurisdiction of until such vacancy is filled, or such absence or inability to act by the municipal judge is removed.

Regarding the removal of causes, how and when effected; who may act.

SECTION 9. No action, examination or other proceeding shall be removed from said court, but whenever previous to joining issue in any action, or before the commencement of any examination, it shall appear by the affidavit of either party, his agent or attorney, that from prejudice or other cause, specifying such cause, he believes the municipal judge will not decide impartially in the matter, or that said municipal judge is a material witness for such party without whose testimony he cannot safely proceed to trial, or that said municipal judge is near of kin to either party, and the matter or proceeding be one of which a justice of the peace has jurisdiction, then the municipal judge shall notify the nearest justice of the peace in the county of Oneida, qualified to act; whereupon it shall be the duty of said justice of the peace, so notified as aforesaid, to forthwith appear at the court room of said municipal court, and to discharge the duties of said municipal judge on the trial of said case, or the hearing of said examination or other proceeding, in the same manner and with like effect as said municipal judge would if not disqualified to act; and the doings of said justice of the peace, when so presiding over said municipal court, shall have and be of the same force and effect as like proceedings of said municipal judge, and when said action, examination or other proceeding is concluded, a like record, as in other like cases, shall be made in said court, and thereafter and thereupon execution may be issued as in other cases tried before said municipal judge. Said jus-

Pay of the justice of the peace.

tice of the peace shall receive from said municipal judge the sum of two dollars and fifty cents for every half day during which he shall preside over said court. In matters or proceedings of which a justice of the peace has no jurisdiction when such affidavit is filed the municipal judge shall transfer the same to the circuit court for Oneida county, which said circuit court shall thereupon have jurisdiction to hear, try and determine the same in the same manner and with the same effect as if such action or proceeding had been originally begun in such circuit court.

Removal of cases from justice's court to municipal court.

SECTION 10. Whenever any action shall be removed from any justice of the peace of said county of Oneida upon the oath of said defendant, his agent or attorney, according to the provisions of law for such removal, if said defendant, his agent or attorney, requests in writing to such justice that the action be removed to the said municipal court, then the action and all the papers therein shall be transmitted to the presiding judge thereof, who shall proceed with the action in the same manner as if originally instituted before him.

Regarding trial by jury.

SECTION 11. Trial by jury may be had in said court in the same manner and process as in justices' courts.

Officers of the court defined.

SECTION 12. Sheriffs and constables of Oneida county shall have the same power to serve and execute process of this court as of justices' courts, and shall be entitled to receive the same fees as in justices' courts.

Dockets to be kept and what to contain.

SECTION 13. The judge of said court shall keep one docket for criminal trials and proceedings, and a separate docket for civil actions, and all docket entries and process shall be made and kept in the same manner as far as applicable to this court as the same are required to be kept by justices of the peace under the laws of this state; provided, always, that the municipal judge may in civil actions sign in blank, summonses, writs and other civil process, and deliver the same to attorneys of courts of record, to be issued by them. Such

attorneys, upon issuing such summons, writ or other process, shall subscribe the same, and shall file within twenty-four hours thereafter the affidavit, if any, upon which such summons, writ or other process was based, and a statement of the names of the parties to the action, the date of the summons, writ or other process, the time when the same is returnable, and the nature of the demand or claim. Thereupon said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing the summons, writ or other process. Said judge shall also appoint a competent phonographic reporter, skilled in the art of shorthand reporting, for said court, and may remove him at pleasure and appoint another in his place. Every person so appointed shall be deemed an officer of said court, and shall, before entering upon the duties of his office, take and subscribe the constitutional oath, and file the same, duly certified, with the clerk of the circuit court of Oneida county. The reporter shall attend said court whenever requested by the judge, perform such duties as the judge may require, and shall be paid by said judge for all his services in said court. Section 4141, of the revised statutes, shall apply to transcribed copies of the testimony and proceedings taken by the reporter in said municipal court.

Salary of the judge to be fixed by the county board of supervisors.

SECTION 14. The board of supervisors of the county of Oneida shall fix the salary of said municipal judge the same as the salaries of other county officers are fixed. Such salary shall be not less than eight hundred dollars nor more than twelve hundred dollars per year, and shall be paid out of the county treasury, as the salaries of other county officers are paid, and shall be in full for all services rendered by said court in criminal cases or actions brought by any town or city in the county, for violations of any ordinance of such town or city, including the services of the reporter of said court. Until changed by said board, the

Present salary of the judge, $1,000 per annum.

salary of said judge shall be one thousand dollars per year. The same fees in all actions, civil and criminal, that are now allowed by law to justices of the peace, it shall be lawful for said municipal judge to charge and collect, and one dollar in addition thereto for every civil action or proceeding in his court. The fees so charged and collected in civil actions shall be retained by said municipal judge for his compensation therein. On the first day of November in each year, said municipal judge shall pay over to the treasurer of said county all fines paid him, imposed under the laws of this state, and all of the aforesaid fees collected by him in criminal actions since the first day of November of the preceding year, taking said county treasurer's duplicate receipt therefor; one of said receipts shall be filed in the office of the county clerk of said county. And said municipal judge shall file with said county clerk on said day a statement, verified by his affidavit, of all fines and municipal court fees received by him in each criminal action in which any such fines or fees have been paid, since the first day of November of the preceding year, together with the statement required of other magistrates by section 679 and section 680, of the revised statutes as amended.

Fees to be paid over to the county treasurer annually on Nov. 1st.

Attorney's fees, what plaintiff is entitled to recover.

SECTION 15. In all actions in the municipal court for the county of Oneida, the plaintiff, if he shall obtain judgment, shall be entitled to recover attorney fees as follows: On all judgments taken in actions wherein the defendant does not appear and answer or demur, when the amount of the judgment exceeds one hundred dollars and is less than three hundred dollars, ten dollars; when the amount of the judgment is three hundred dollars or upwards, fifteen dollars. On all other judgments, when the amount does not exceed one hundred dollars, an amount equal to ten per cent. of the amount of the judgment. When the amount of the judgment exceeds the sum of one hundred dollars, ten dollars on the first one hundred

dollars and five per cent. on the amount of the judgment in excess of one hundred dollars; provided, that in no case shall the amount of the attorney fee exceed the sum of twenty dollars. And in case judgment shall be for the defendant, he shall be entitled to recover attorney fees as follows: In all cases where the plaintiff shall claim in his complaint one hundred dollars or less, an assessment equal to ten per cent. of his claim; in all cases where the plaintiff shall claim in his complaint a sum over one hundred dollars, ten dollars for the first one hundred dollars, and five per cent. on the amount claimed in excess of one hundred dollars; provided, that in no case shall the amount of attorney fees exceed the sum of twenty dollars. The provisions of this section shall apply to proceedings for the recovery of possession of personal property, and the value of the property, as found, if judgment be for the plaintiff, and as claimed, if judgment be for the defendant, shall be the basis for the taxation of attorney fees; and in all other civil actions not herein provided for, an attorney fee of ten dollars shall be allowed to the party in whose favor the judgment is rendered; provided, however, that no attorney fee shall be allowed unless the party who recovers judgment shall appear by an attorney of a court of record.

Stationery and blanks to be furnished.

SECTION 16. All needful stationery and all blanks required by said court in criminal actions and examinations, and the judge's dockets, required by law, shall be furnished at the expense of Oneida county.

SECTION 17. Chapter 312, of the laws of 1887, and chapter 349, of the laws of 1891, are hereby repealed, except as provided in the next ensuing section.

SECTION 18. The provisions of chapter 312, of the laws of 1887, as amended by chapter 349, of the laws of 1891, shall be and remain in full force and effect until the sixth day of May, 1895.

SECTION 19. This act shall take effect and be in force from and after the sixth day of May, A. D. 1895.

Approved March 22, 1895.

No. 187, S.] [Published March 25, 1895.

CHAPTER 64.

AN ACT to authorize the incorporation of a retail lumber dealers' Mutual Insurance Association.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Retail lumber dealers authorized to form an insurance company.

SECTION 1. It shall be lawful for any number of retail lumber dealers not less than twenty-five who collectively shall have capital invested in the retail lumber business, to the value of not less than fifty thousand dollars, to organize a mutual insurance association, for the purpose of insuring their stock of lumber, sheds, offices and fixtures generally kept in a retail lumber yard, against loss or damage by fire and lightning, by complying with the following conditions, viz.: They shall sign articles of organization which shall be substantially in the following form: "The undersigned retail lumber dealers of the state of Wisconsin and owners of more than fifty thousand dollars capital invested in the retail lumber business, do hereby associate together, by forming a mutual insurance association, under the name of the Retail Lumber Dealers' Mutual Insurance Association of Wisconsin, for the purpose of insuring the stock of lumber, sheds, offices and fixtures generally kept in a retail lumber yard, against loss or damage by fire and lightning. The elective officers of said association shall be a president and a

Organization, and how effected.

board of directors of six members, to be elected at the first meeting by the signers of the articles of association, three of said directors shall be elected and hold their office until the first annual meeting and three until the second annual meeting, or until their successors shall be elected. At the first annual meeting, and thereafter three members of said board of directors shall be elected annually, for a term of two years each. The president shall be elected annually, who by virtue of his office as president of the association shall be a member of the board of directors, and president of the board. The board of directors shall fix the time and place for holding the annual meeting and shall elect the secretary and treasurer and such other officers as may be provided for in the by-laws of the association. In witness whereof we have hereunto signed our names this——day of ——, A. D. 18—."

25 dealers and $50,000 stock required to form organization.

SECTION 2. Such articles of organization shall be subscribed to by at least twenty-five retail lumber dealers of the state of Wisconsin, who are owners of not less than fifty thousand dollars' worth of stock in retail lumber yards, which shall be insured by such association, and when so signed shall be filed in the office of the insurance commissioner of this state. After the articles of association have been filed with the commissioner, with proof that policies to cover the amount of insurance have been applied for, they shall be examined by the attorney-general, and if found in conformity with the law, the commissioner of insurance shall issue a certificate that said association is duly organized and is entitled to do business under the laws of this state.

Management and officers of the association.

SECTION 3. The general management of the business of said association shall be vested in a president and six directors, each of whom shall during his term of office be a policy holder in said association. Their duties and election shall be as follows: The signers of the articles of association shall elect from their number a president and six directors, of which

the president and three directors shall hold their office until the first annual meeting, or until their successors are elected, and three directors until the second annual meeting; and at the first annual meeting and thereafter three members of said board of directors shall be elected for a term of two years each, the president shall be elected annually by the policy holders, who by virtue of his office as president of the association, shall be a member of the board of directors and also president of the same. The board of directors shall fix the time and place for holding the annual meeting and shall elect a secretary, treasurer and such other officers, whose duties and compensation shall be such as may be provided for in the by-laws.

By-laws to be adopted before commencing business.

SECTION 4. Such association, before commencing its business, shall prepare and adopt by-laws, which shall describe the duties of its officers, the manner, place and time of electing them, the directors, the place and manner of transacting its business and such other rules and regulations as may be deemed essential for the management of its affairs; such by-laws shall not be annulled, changed, suspended or repealed, except in the manner therein set forth, and a copy of [the] same and of any subsequent amendments thereto or changes therein shall be by the secretary forthwith filed with the commissioner of insurance, to be filed in his office.

Standard policies may be issued.

SECTION 5. Such association is authorized to issue standard policies of insurance signed by the president and secretary, agreeing to pay the person insured thereby against all loss and damage to the property insured, which he may sustain, by fire or lightning, for a period of not more than three years, not exceeding the amount of three thousand dollars.

Every policy holder to be a member of the association.

SECTION 6. Every holder of a policy of such insurance shall be a member of the association, and be entitled to one vote for each thousand dollars of insurance, or major fraction thereof, in the election of president and direct-

ors and shall be eligible to be elected to any office in such association. He shall be liable to the association for his pro rata share of all losses and damages by fire or lightning sustained by any other member and shall also be liable for his pro rata share of the expenses of the management of the business of such association, but this liability shall not exceed five times the amount of the cash premium required by the by-laws to be paid before the policy is issued, in addition to the premium so paid, and shall also be bound and subject to the by-laws thereof.

Terms and conditions of insurance to be provided.

SECTION 7. The association shall in and by its by-laws provide for the manner in which such insurance shall be effected and the terms and conditions thereof, the time and manner in which such losses by it sustained under its policies of insurance shall be determined, proved, adjusted and paid, the time and manner and the officers to whom such assessment shall be paid. It shall also in and by its by-laws provide for such other regulations, terms and conditions as it may be necessary for effectively and fully carrying out its plans of insurance, and the said by-laws in force at the time of the date of any policy of insurance issued by the association shall have the force and effect of law in determination of all questions and claims assuring under such policy between the holder thereof and the said association.

How withdrawals may be effected.

SECTION 8. The said asociation shall also in its by-laws provide the manner, terms and conditions upon which any member thereof may withdraw, or be suspended or policy cancelled.

Detailed statement of business to be rendered annually.

SECTION 9. The secretary of the association shall prepare and submit to the members thereof at each annual meeting, a detailed statement of the conditions of such association, and its transactions for the preceding year, showing the number of policies and to whom issued, and the amounts insured thereby, the number of assessments made during

the year, and the amounts paid in upon each assessment, the losses sustained during the year, and whether the same have been paid or adjusted or remain unpaid or unadjusted or are disputed and the amount of assessment unpaid, the number of members of the association, the number of new policies issued during the year, and an itemized statement of the expenses of such association during the year, and the amount and conditions of its funds, and such other matters as may be of interest to the members. A copy of such annual statement shall within thirty days after such meeting be filed with and presented to the insurance commissioner of this state.

Books and papers to be open to examination to all members.

SECTION 10. All the books, papers and files of such association shall at all times be open to the examination of any member thereof, his agent or attorney, and any such member, agent or attorney shall at all times have the right to make such copies of such books, papers and files as he may wish.

SECTION 11. All acts, parts of acts, conflicting with this chapter are hereby repealed.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 183, S.] [Published March 23, 1895.

CHAPTER 65.

AN ACT to amend section 1557, of Sanborn and Berryman's statutes relating to penalty for evading law, selling to minors or at prohibited places.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Selling liquor, etc., to minors, fine for same.

SECTION 1. Section 1557, of Sanborn & Berryman's statutes, is hereby amended by adding after the word "misdemeanor," in the tenth line of said section 1557, the following: "And shall, on conviction, be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment," and after the word "misdemeanor" in the last line of said section 1557, by adding the following: "And shall, on conviction, be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment in the county jail not to exceed sixty days, or by both such fine and imprisonment," so that said section 1557, when so amended shall read as follows: Section 1557. Any keeper of any saloon, shop or place of any name whatsoever for the sale of any strong, spirituous or malt liquors to be drank on the premises, in any quantity less than one gallon, who shall sell, vend, or in any way deal or traffic in, or for the purpose of evading any law of this state relating to excise or the sale of intoxicating liquors, give away any spirituous, ardent or intoxicating or malt liquors or drinks in any quantity whatsoever, to or with a minor or to any person intoxicated or bordering on a state of intoxication, and any person whatever who shall procure for, or sell or give away to any minor or intoxicated person any

Keepers of saloons liable for breach of law.

such liquors or drinks, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail not to exceed thirty days, or by both such fine or imprisonment. No person shall sell or in any way deal or traffic in, or, for the purpose of evading the law, give away any spirituous, ardent or intoxicating or malt liquors or drinks in any quantity whatsoever, within one mile of either of the hospitals for the insane; and any person who shall so sell or give away any such liquors or drinks shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment in the county jail not to exceed sixty days, or by both such fine and imprisonment.

Protection of insane hospitals.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 96, S.] [Published March 25, 1895.

CHAPTER 66.

AN ACT to amend section 1790, of the revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Recording charters and articles of incorporation.

SECTION 1. Section 1790, of the revised statutes of 1878, is hereby amended by adding thereto the following words, to-wit: "Provided, that in amending the charter of any corporation organized under any special charter, or any general, or private and local law, by virtue of which its charter or articles of organiza-

tion were not required to be recorded in the office of the register of deeds of the county in which such corporation was located, it shall be sufficient to record the certified copy of such amendment in the office of the register of deeds of the county in which such corporation is located, and to file a like certified copy with the secretary of state.

SECTION 2. This act shall be in force and take effect from and after its publication.

Approved March 22, 1895.

No. 219, S.] [Published March 26, 1895.

CHAPTER 67.

AN ACT authorizing the purchase of relics of General Joseph Bailey, hero of the episode of the Red river dam, in the late war of secession, and appropriating a sum of money therefor.

Gen. Bailey's war relics, their possession by the gallant general explained.

Whereas, In the month of March, 1864, General Banks, of the Union army, entered upon an important naval and military campaign against the enemies of the nation, who were then centered in the valley of the Red river, in Arkansas. With him upon this now famous expedition were actively employed several regiments of Wisconsin troops, to-wit, the fourth cavalry, and the eighth, fourteenth, twenty-third, twenty-ninth, and thirty-third infantry. In an account of this expedition, given in the book entitled "The Story of Wisconsin," written by Reuben Gold Thwaites, secretary of the State Historical society of Wisconsin, occurs the following passage, founded upon the official reports of the war: "The brightest honors of the expedition were won by Lieutenant Colonel Joseph Bailey, of the Fourth. The fleet had been carried safely

above the rapids at Alexandria, but upon the return it was found the water had lowered so that is was impossible to descend. The river was rapidly falling, the enemy were swarming upon both banks, the navy was in a most perilous situation, and complete destruction appeared to stare the expedition in the face. The one man who saved the union from so irreparable a loss was this modest Wisconsin officer, who now proved himself a genius. He was serving on General Franklin's staff as chief engineer, and proposed to build a system of dams by which the river was to be raised to a sufficient height, then an opening suddenly made, through which the vessels were to escape. The scheme appeared a visionary one to all of the other engineers, as well as to most of the leading officers; but while they laughed at him as an innocent, he was permitted to try his proposed experiment. With three thousand men he toiled unweariedly, from the thirtieth of April to the eighth of May. On the morning of the twelfth the great gunboats plunged through the boiling chute and triumphantly steamed away, to the great discomforture of the Confederates, who had thought to capture the expedition in the trap. Admiral Porter frankly wrote to headquarters that to 'the indomitable perseverance and skill of Lieutenant-Colonel Bailey, to whom belongs the entire credit of the enterprise, the fleet owed its safety.' The hero of the hour was presented by the naval officers in the expedition with a richly inlaid sword, a silver punch-bowl and other valuable souvenirs of his exploit, was thanked by the navy department, and soon after breveted brigadier-general. It was upon Wisconsin pinery streams, where great log rafts are sometimes 'lifted' by artificial rises of water, induced by dams, that Bailey had learned his wisdom; and it was the Wisconsin 'lumber boys' of the twenty-third and twenty-ninth regiments that he first asked for, when given permission to undertake his experiment in backwoods engineering."

Whereas, The valuable and interesting souvenirs of the late war, mentioned in the foregoing historical account, as being presented to General Bailey of Wisconsin, by Admiral Porter and other naval officers in the Red river expedition, were manufactured in New York city by Tiffany and company, at an expense of many thousands of dollars and are now the property of a daughter of the late General Bailey, Miss Ella Bailey; and

Cost of said relics.

Whereas, Miss Bailey is now in reduced circumstances, and desirous of disposing of the said relics to the state of Wisconsin at a price far below their market value, in order that they may be kept entire and as a permanent memorial of her father and his notable deed, which brought such lasting credit to the Wisconsin arms; therefore,

Offer to sell to the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The governor is hereby authorized to purchase for the state, from Miss Ella Bailey, daughter of the late General Joseph Bailey, at a price not exceeding two thousand dollars, the sword, silver punch-bowl, and other souvenirs, if any, presented to said General Bailey by officers of the United States navy, in recognition of his services in connection with the episode of the Red river dam in May, 1864.

Governor authorized to purchase at $2,000 for the lot.

SECTION 2. When such souvenirs shall be obtained by the governor, he shall cause them to be placed in the custody of the State Historical Society of Wisconsin, to be forever kept by said society in trust for the state, in accordance with said society's customary regulations for the safe keeping and exhibition of valuable relics.

To be placed in the custody of the State Historical Society.

SECTION 3. There is hereby appropriated out of any money in the general fund of the state treasury not otherwise appropriated, the sum of two thousand dollars for the purpose cited in section 1, of this act.

Appropriation of $2,000 authorized.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 217, S.] [Published March 26, 1895.

CHAPTER 68.

AN ACT appointing trustees for the Perry Cemetery Association, of Ellsworth, Pierce county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Cemetery association—trustees appointed.

SECTION 1. Barney Maynard, Norris Kinne, John Hoffman, Frederick Endress, Hans B. Warner, J. B. Jenson and D. W. Woodworth are hereby appointed trustees of the Perry Cemetery association of the village of Ellsworth, in Pierce county, which association has acquired cemetery grounds in said village in which bodies have been interred and still remain, and which association has failed to keep up its organization.

Bodies may be re-interred.

SECTION 2. Said trustees are hereby authorized to remove all bodies interred in said cemetery grounds and re-inter the same, and empowered to convey by deed said cemetery grounds to the First Presbyterian church of Ellsworth, in Pierce county.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 273, S.] [Published March 25, 1895.

CHAPTER 69.

AN ACT granting permission to the women of Wisconsin connected with the Columbian exposition to place statues in the park and rotunda of the capitol and making an appropriation therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Cost of statutes.

Whereas, The women of Wisconsin connected with the World's Columbian exposition, by voluntary contributions amounting to about six thousand dollars, have caused the statues in plaster which adorned the Wisconsin building, the one called "Forward" by Miss Jean Pond Miner, to be executed in bronze, and that called "Genius of Wisconsin" by Miss Nellie Farnsworth Mears, to be chiseled in marble, by the respective artists; and

To be placed in the park and rotunda of the capitol.

Whereas, They have generously offered and are desirous of presenting said works of art to the state of Wisconsin, one to be placed in the capitol park and the other in the rotunda of the capitol; therefore,

Permission granted.

SECTION 1. Permission is hereby granted to them to place the said statues, one in the capitol park, in such place as may be selected by the governor, and the other in the rotunda of the capitol building.

Superintendent of public property to prepare pedestals.

SECTION 2. The superintendent of public property is hereby authorized under the direction of the governor, to construct a suitable foundation for the pedestal for the statue to be placed in the capitol park, and a suitable place in the rotunda of the capitol for the statue to be placed there; bills therefor to be audited by the secretary of state and paid out of the state treasury.

Appropriation to pay expense of same.

SECTION 3. There is hereby appropriated out of any money in the state treasury not

otherwise appropriated, a sum sufficient to meet the expenditures authorized by this act.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 523, A] [Published March 25, 1895.

CHAPTER 70.

AN ACT to permit villages incorporated under special acts of the legislature to re-incorporate under the general statutes so as to be a part of the towns in which such villages are situated.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Villages may re-incorporate.

SECTION 1. Every village heretofore incorporated under the special act of the legislature wherein the act of incorporation provides that the taxes in such village shall be collected by the treasurer of the town in which the village is situated, may re-incorporate under the general statutes in the manner hereinafter provided.

How incorporation may be effected.

SECTION 2. Whenever two-thirds of the electors residing in such village shall petition the board of trustees of the said village for re-incorporation as a village under the general statutes, the trustees of such village shall by ordinance declare and proclaim the said village re-incorporated under the general statutes. A copy of such ordinance certified by the village clerk shall be recorded in the office of the register of deeds of the county in which such village is situated, and thereupon the special act of incorporation shall be deemed surrendered and such village incorporated un-

der the general statutes. If such petition shall request the first village election to be held on the first Tuesday in April, the election shall be held on that date and notice thereof shall be given and such election shall be held and the votes cast thereat canvassed and returns made in all respects as provided in the general statutes for elections in villages. The board of trustees shall designate the electors to act as inspectors of election, but if vacancies occur in the board of inspectors the vacancies shall be filled as provided in the general statutes relating to elections in villages.

Old officers to serve after re-incorporation.

SECTION 3. The village officers acting at the time of such re-incorporation shall be the officers of the re-incorporated village until village officers are elected and qualified as provided by law. The re-incorporated village shall own the property and be liable for all obligations of the village the same as if there had been no re-incorporation.

Shall be decided at separate elections.

SECTION 4. Until the electors of the town and village shall at separate elections decide otherwise, the said village shall be a part of the town in which it is situated the same as if the said village had originally incorporated under the general statutes.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 179, A.] [Published March 26, 1895.

CHAPTER 71.

AN ACT to amend chapter 443, of the laws of Wisconsin of 1891, entitled, "An act to prevent and punish frauds in sales of goods, wares and merchandise, at public or private sale, and to regulate such sales."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Act to punish frauds amended.

SECTION 1. Section 2, of chapter 443, of the laws of 1891, is hereby amended by inserting between the word "receiver" and the word "or" in the ninth line of said section 2, the words "job lot," and by inserting between the word "form" and the word "shall" in the twelfth line of said section 2, the following: "Or that, by reason of financial difficulty, or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of for less than the real value thereof," so that said section 2, when so amended, shall read as follows: Section 2. Every person or vendor who shall not already have become a permanent trader as defined by section 1570, of the revised statutes, at the same town, city or village, who shall sell or expose for sale at public or private sale any goods, wares and merchandise, and shall advertise, represent or hold forth such sale as an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, job lot or closing out sale, or as a sale of any goods damaged by smoke, fire, water or otherwise, or in any similar form, or that by reason of financial difficulty or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of for less than the real value thereof, shall, before so doing, take out a state license in the manner and form hereinafter prescribed.

State license shall be taken out, when.

SECTION 2. Section 4, of said chapter is hereby amended by adding at the foot thereof the following: "Provided, however, that any agent having charge of the business of such licensee in conducting his business shall be liable to the penalties prescribed by this act, in case such person shall advertise or sell any of such goods, wares or merchandise and such licensee shall not have complied with any of the provisions of this act." Agent liable.

SECTION 3. Section 6, of said chapter is hereby amended by inserting before the word "before," in the first line of said section 6, the following: "The board of supervisors of any town, the trustees of any village, and the common council of any city, within this state, may, by ordinance or resolution, require the payment by every person intending to do such business, of such local per diem license fee as shall be fixed and determined by such board of supervisors, board of trustees, or common council, which fee shall not, however, exceed the sum of fifty dollars per day;" and by inserting after the word "sales," in the eighth line of said section 6, the words "under the provisions of this act;" so that said section 6, when so amended, shall read as follows: Section 6. The board of supervisors of any town, the trustees of any village, and the common council of any city, within this state, may, by ordinance or resolution, require the payment by every person intending to do such business, of such local per diem license fee as shall be fixed and determined by such board of supervisors, board of trustees, or common council, which fee shall not, however, exceed the sum of fifty dollars per day. Before selling under said state license, every person intending to do such business shall exhibit the same to the clerk of each town, village or city where he proposes to make sales, and upon payment to said clerk of such license fees as are legally chargeable upon local sales under the provisions of this act, the said clerk shall record the state license in full, shall endorse upon it the

Municipal authorities may by resolution require a license.

Amount to be paid.

words, "local license fees paid," and shall affix his official signature, together with the date of such endorsement. He shall then issue a local license, authorizing sales within the limits of such town, village or city. Any failure to obtain a local license, and to have proper endorsements made on the state license, shall subject such person to the same penalty as would be imposed if no state license had been issued.

"Job lot" defined.

SECTION 4. Section 7, of said chapter, is hereby amended by inserting after the word "receiver," in the fourth line thereof, the words "job lot," and by inserting after the word "form," in the sixth line of said section 7, the words "or that, by reason of financial difficulty, or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of for less than the real value thereof;" so that said section 7, when so amended, shall read as follows: Section 7. No person shall advertise, represent or hold forth any sale as an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, job lot or closing out sale, or as a sale of any goods damaged by smoke, fire, water or otherwise, or in any similar form, or that by reason of financial difficulty, or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of for less than the real value thereof, unless he shall, before so doing, state under oath to the state treasurer, either in the original application for a state license, or in a supplementary application subsequently filed and copied on the license, the details of said bankruptcy, insolvency, trusteeship, closing out, damage, etc., such details to include and cover all the facts, relating to time, place, persons, etc., necessary to exactly locate and fully identify the same.

Section as amended.

District attorney required to act.

SECTION 5. Section 9, of said chapter is hereby amended by striking out the words "respective informing or prosecuting officer in each town, village or city," and inserting in lieu thereof the words "district attorney of

each county;" so that said section 9, when so amended, shall read as follows: Section 9. It shall be the duty of the district attorney of each county in this state to see that the provisions of this act are complied with, and to prosecute for violation of the same. All such officers shall have the power to demand production of the proper state and local licenses by any person doing such business, advertising or actually engaging in business, and any failure to produce such license shall be prima facie evidence against such vendor that he has none.

Each advertisement deemed a distinct offense.

SECTION 6. Section 10, of said chapter, is hereby amended by adding at the foot thereof the following: "And each advertisement or sale made in contravention to the provisions of this act shall be deemed a distinct offense, and shall subject the offender to the penalty herein prescribed;" so that said section 10, when so amended, shall read as follows: Section 10. Every person violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned not more than sixty days, or both, and each advertisement or sale made in contravention to the provisions of this act shall be deemed a distinct offense, and shall subject the offender to the penalty herein prescribed.

SECTION 7. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 202, A.] [Published March 25, 1895.

CHAPTER 72.

AN ACT to amend section 1, of chapter 139, laws of 1891, relating to liens on logs and lumber.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lien law amended by adding "pulp wood" and "charcoal."

SECTION 1. Section 1, of chapter 139, of the laws of 1891, is hereby amended by inserting after the word "staves" in the sixth line thereof the words "pulp wood, or manufacturing any wood into charcoal, or hauling the same," and by inserting after the word "staves" in the eleventh line thereof the words "pulp wood or charcoal," so that said section when amended shall read as follows: Section 1. Any person who shall do or perform any labor or services in cutting, hauling, running, felling, driving, rafting, booming, cribbing, towing, sawing, peeling or manufacturing into lumber or timber, any logs or timber, or cutting any stave bolts or staves, pulp wood, or manufacturing any wood into charcoal, or hauling the same, in any of the counties of this state, shall have a lien upon such logs, timber, lumber, cord wood, railroad ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves, pulp wood, or charcoal, for the amount due or to become due for such labor and service, which lien shall take precedence of all other claims, liens or incumbrances thereon or sales thereof, whether such claims, liens, incumbrances or sales are made, created or accrued, before or after the time of doing such work, labor and services.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 281, S.] [Published March 25, 1895.

CHAPTER 73.

AN ACT authorizing the commissioners of public lands to credit school districts in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The commissioners of public lands are hereby authorized and directed to credit any school district to which a loan has been made from the trust funds since the passage of chapter 187, of the laws of 1893, any and all amounts of interest paid by such school district in excess of four per cent., as required by said chapter; said credit to be given upon the next payments of interest falling due upon said loan, and said commissioners are further authorized and directed to reduce the interest hereafter to be paid upon all such loans to four per cent. per annum.

Excess of interest charged over four per cent. to be credited to school districts so overcharged.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 6, S.] [Published March 27, 1895.

CHAPTER 74.

AN ACT to cede jurisdiction to the United States of America over Devil's Island, in Ashland county, occupied as a site for lighthouse buildings.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Devil's Island condemned.

Whereas, The United States have erected a lighthouse and buildings connected therewith on Devil's Island, in Lake Superior, in Ashland county, in this state, and are now in the occupation thereof, and have, by condemnation proceedings, acquired the fee title in and to said island; therefore,

Jurisdiction of state ceded to United States for lighthouse purposes.

SECTION 1. The jurisdiction of this state is hereby ceded to the United States of America over certain parcels of land lying and being in Ashland county, for the purpose of erecting and maintaining a lighthouse and lighthouse buildings thereon, described as follows, to-wit: Devil's Island, so-called, in the Apostle Island group, more particularly described as follows: Lots one, two, three, four, five and six, in section ten, and lots one and two, in section fifteen, township fifty-three north, of range three west of the fourth principal meridian, according to the government survey; provided always, and this cession is made upon the express condition, that the state of Wisconsin shall so far retain a concurrent jurisdiction with the United States in and over the tracts of land aforesaid that all civil and criminal process issued under the authority of this state, or any officer thereof, may be executed upon said lands, and in the buildings that are or may be erected thereon, in the same way and manner, and to the same extent, as if jurisdiction had not been ceded by this act, and

that any offense against the laws of the state committed on the lands herein described may be tried and punished by any competent court or magistrate of the state to the same extent as if this act had not been passed.

Exempted from taxes.

SECTION 2. The lands above described, with their appurtenances, and all buildings and other property that may be thereon, shall forever be exempted from all taxes and assessments, so long as the same shall remain the property of the United States of America.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 79, S.] [Published March 27, 1895.

CHAPTER 75.

AN ACT to amend section 3, chapter 259, of the laws of 1893, entitled, "An act to provide county and city depositories and regulate the deposit of public moneys therein."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County and city depositories for public funds—law amended.

SECTION 1. Section 3, of chapter 259, of the laws of 1893, "An act to provide county and city depositories and regulate the deposit of public moneys therein," is hereby amended by striking out the words "after advertising as above provided," and in the eighteenth and nineteenth lines of said section and inserting in lieu thereof the words "and in case of failure to advertise as above provided any proposals so filed, shall be considered by such board. In case of failure to advertise, if no proposals shall be received, it shall be the duty of such board at the time of its annual meeting to

serve written notice upon each bank, banking institution or trust companies in the county that such proposals will be received during such session, and any proposals received during such session shall be considered upon," so that said section when amended shall read: Section 3. It shall be the duty of the county clerks of the several counties of the state, each year to advertise, in one or more newspapers published in their respective counties, (or if the public interest require, in one or more newspapers in other counties of the state,) for at least two weeks before the annual meeting of the county board, for proposals to receive the county funds on deposit for one year from the first day of the following January, which proposal shall be filed at least one day before the meeting of the county board, with the county clerk and shall state the rate of interest the bidder will pay on daily balances, the interest to be computed and credited to the county at the end of each month, and on condition that such deposits and accrued interest shall be held subject to draft and payment at all times on demand. In case of failure to advertise as above provided any proposals so filed shall be considered, and in case of failure to advertise, if no proposals shall be received, it shall be the duty of such board at the time of its annual meeting to serve written notice upon each bank, banking institution or trust company in the county that such proposals will be received during such session, and any proposals received during such session shall be considered. Upon opening any bids that may be received, it shall be the duty of the county board to designate, in its discretion, a county depository. If said board at any time after such designation, for good and sufficient causes, deem the surety given insufficient, it may require a new bond, and if, in its opinion, the public interests require, it may vacate, revoke or modify its designation of a depository in any way, and may again designate a depository or depositories in its discretion.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 58, S.] [Published March 27, 1895.

CHAPTER 76.

AN ACT to amend section 4, of chapter 291, of the laws of 1889, entitled, "An act to provide for a register of probate in the county of Walworth."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Salary of register in probate fixed.

SECTION 1. Section 4, of chapter 291, of the laws of 1889, is hereby amended by adding to said section the following: "But for the services performed by such register in probate, as clerk or stenographer, the county board of Walworth county may, from time to time, fix a salary not to exceed five hundred dollars per year, and the salary thus fixed shall be paid monthly by the county treasurer of said county. Until the salary shall be fixed by the said county board, it shall be forty dollars per month."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 504, A.] [Published March 27, 1895.

CHAPTER 77.

AN ACT to authorize Lewis M. Alexander, his associates and assigns, to build and maintain a dam across the Wisconsin river, on section thirty-six, in township twenty-two north, of range five east, in Wood county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build and construct a dam.

SECTION 1. Lewis M. Alexander, his associates and assigns, are hereby authorized to build and maintain a dam across the Wisconsin river at any point in section thirty-six, in township twenty-two north, of range five east, not exceeding sixteen feet in height, and to use the water of said river for propelling any kind of machinery he now has or may hereafter see fit to erect, and to sell or lease the right to use said water and water power created by said dam to any person or persons whomsoever; provided, said dam shall be so constructed as not to obstruct the running of lumber, logs or timber down said river; and, provided, further, a slide shall be constructed in said dam at least two feet below the general height thereof and at least forty feet in width, and in the manner provided by law.

SECTION 2. The right to repeal or amend this act is hereby reserved.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 280, A.] [Published March 27, 1895.

CHAPTER 78.

AN ACT to legalize the acts of the Salem Mound Cemetery association.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Cemetery association failed to record the minutes of meeting.

SECTION 1. Whereas, certain persons did, on the eighteenth day of September, 1858, in the town of Salem, in the county of Kenosha, attempt to organize a cemetery association to be known as the Salem Mound Cemetery association, but failed to record the minutes of the meeting and plat of the grounds, as required by law; and,

Official acts of officers legalized.

Whereas, Said association under the above name, in said town and county, has ever since continued to act as a cemetery association duly organized; therefore, it is hereby declared that all official acts of the officers of the above named association shall be valid and binding in all respects, as if said association had complied with the law relating to the organization of cemetery societies in every particular.

To be recorded at the expense of the association.

SECTION 2. This act shall be recorded at the expense of the above named association, in the office of the register of deeds, in the record book kept by him for recording the certificates of the organization of cemetery associations, and shall in every instance be taken as complete evidence of the legal organization of said association on the eighteenth day of September, 1858.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 173, A.] [Published March 27, 1895.

CHAPTER 79.

AN ACT to amend section 1, of chapter 125, of the laws of 1891, relating to register of probate in Winnebago county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regarding the register of probate in Winnebago county.

SECTION 1. Section 1, of chapter 125, laws of 1891, is amended so as to read as follows: Section 1. There shall be in Winnebago county an officer of the county court of said county, whose official title shall be "register of probate," who shall, upon the expiration of the term of the present incumbent, on the first Monday in January, 1897, or sooner if a vacancy occur in said office, be appointed by, and hold his office during the pleasure of the county judge of said county. The said register of probate shall take the oath of office prescribed by the constitution, and shall give a bond in the sum of two thousand dollars, approved by the county judge, with conditions substantially in the form required in the bond of the clerk of the circuit court, which oath and bond shall be filed and kept in the same manner as the oath and bonds of the clerk of the circuit court of said county.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 119, A.] [Published March 27, 1895.

CHAPTER 80.

AN ACT relating to an act to authorize Jacob Searls, A. E. Bennett and James Gaynor to connect by a canal Hemlock creek with Cranberry creek in Wood county; and amendatory of section 2, of chapter 265, of the laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2, of chapter 265, of the laws of 1893, is hereby amended by striking out the word "twenty-two" in the seventh line of said section and inserting in lieu thereof the word "twenty-one," so that said section when amended shall read as follows: Section 2. The head of said canal shall be located on Hemlock creek at some convenient point on section thirty-three in township twenty-three north, of range four east, and shall extend thence southerly over the most feasible route to a point on section ten in township twenty-one north, of range four east, where Cranberry creek crosses the right of way of the Chicago, Milwaukee and St. Paul railway. Authorized to build a canal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 26, A.] [Published March 26, 1895.

CHAPTER 81.

AN ACT to amend sections 1570 and 1572 of chapter 67, of the revised statutes, entitled, "Of Peddlers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Taxing peddlers, liability of same.

SECTION 1. Section 1570, of the revised statutes, as amended by chapter 100, of the laws of 1881, chapter 218, of the laws of 1882, and chapter 510, of the laws of 1889, is hereby amended so as to read as follows: Section 1570. No person shall be allowed to travel from place to place within this state for the purpose of selling or exposing for sale, barter or exchange, at retail or to consumers, any goods, wares, merchandise, notions or other articles of trade whatsoever, whether by sample or otherwise, and whether said goods, wares, merchandise, notions or other articles of trade whatsoever are delivered at time of sale or to be delivered at some future day, unless he shall have obtained a license as a peddler as herein provided; but this chapter shall not prevent any manufacturer, mechanic, nurseryman or farmer from selling his work or production by himself or employe; provided, that such manufacturer or mechanic shall have actually manufactured the goods, and such nurseryman shall have actually raised the products so sold or offered for sale, or shall have owned and been in possession of the same for not less than three months next prior to said sale or offering for sale; or prevent any patent right dealer from selling his own invention, or to prevent any person from selling or offering to sell at wholesale or to dealers only, any goods, wares, or merchandise whatsoever, or to prevent any fish peddlers from

Exemptions.

selling fish, or train boys from selling to persons traveling on railroad trains, or to prevent any person, who, by reason of being blind, deaf and dumb, or so crippled as to incapacitate him for hard manual labor, from selling goods, wares or merchandise on foot, or with one horse and wagon, without a license; provided, that this section shall not be construed to require any keeper of a meat market or dealer in agricultural machinery or farm implements, who keeps a permanent place of business, or his employes, to procure a license to sell such meats, machinery or implements as are kept in stock by him at such place; provided, that this section shall be intended to include among those required to obtain licenses as peddlers, all such persons as are transient merchants, traders or dealers, such persons as bring into any town, city or village in any manner, goods, wares, merchandise, notions, or other articles of trade, except such as are excepted in this section, for the purpose of selling the same in the manner provided in this section, and who do not intend to become and do not become permanent merchants, traders or dealers in such town, city or village; permanent merchants, traders and dealers being here defined to be those who remain in a locality engaged in trade for a period of six months or more; or who pay taxes upon their goods, wares, merchandise or other articles of trade the same as other resident dealers.

Permanent merchants, traders, etc., defined.

SECTION 2. Section 1572, of the revised statutes, is hereby amended so as to read as follows: Section 1572. Every such applicant, before he shall be entitled to such license, shall pay into the state treasury the following license fees: If he intends to travel on foot, including railroads or other public conveyances, but carrying his goods, wares and merchandise with him, thirty dollars; if he intends to travel and carry his goods with a single horse or other beast carrying or drawing a burden, forty-five dollars; if he intends to travel with a vehicle or carriage drawn with two or more

Cost of license detailed.

horses or other animals, seventy-five dollars; if intending to deal as a transient merchant, or dealer, fifty dollars; provided, that any such applicant taking license as such transient merchant, trader or dealer shall, in addition to the amount paid for such license, also pay to the treasurer of the town, city or village where he may sell or offer for sale any goods, wares or merchandise, a sum not exceeding twenty dollars per day for each day that such person may be engaged in selling or disposing of any such goods, wares or merchandise, to be determined by ordinance or resolution of the town, city or village where he may engage in business aforesaid, which ordinance or resolution shall provide when and in what manner such per diem tax shall be paid; and provided further, that any hawker or peddler on entering any city, village, or town in this state for the purpose of selling or offering for sale his goods, wares, merchandise or notions, shall, if required by any treasury agent or any official of any such city, village or town, appear before the clerk of such city, village or town and present his state license and make affidavit that he or she is the person named in such license, and after making such affidavit, it shall be the duty of such clerk to issue a certificate, setting forth that the above requirement has been complied with for such city, village or town. This certificate shall be good for thirty days from its date. Any hawker or peddler failing to comply with the above requirement shall be deemed guilty of a misdemeanor and subject to a fine not exceeding ten dollars, or ten days in the county jail, or both.

Penalty for evading the law.

SECTION 3. This act shall take effect and be in force from and after the first day of May, 1895.

Approved March 23, 1895.

No. 120, A.] [Published March 27, 1895.

CHAPTER 82.

AN ACT to amend section 1, of chapter 210, of the laws of 1893, entitled, "An act to authorize Bertrand G. Chandos and George E. Hoskinson, their associates and assigns to build and maintain a dam across the Wisconsin river at Grand Rapids."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1, of said chapter 210, of the laws of 1893, is hereby amended so as to read as follows: Section 1. Bertrand G. Chandos and George E. Hoskinson, their associates and assigns, are hereby authorized to build and maintain a dam across the Wisconsin river at Grand Rapids, at such place on said river as they may elect on lots four, seven and eight, in section eight, in township twenty-two north, of range six east, in Wood county, for the purpose of utilizing the water power created thereby, and for the purpose of improving the navigation of said river; provided, that said dam shall not exceed twenty feet in height, and shall be so constructed and maintained as not to obstruct the running of lumber, timber or logs down said river and over such dam, and that a slide shall be constructed and maintained in said dam at least two feet below the general height thereof, and not less than forty feet in width, and that the same be constructed in accordance with the laws of this state. And for the purpose aforesaid the said Bertrand G. Chandos and George E. Hoskinson, their associates, heirs and assigns, are hereby authorized to overflow and set the water back upon, and hold it upon all such lands as shall be necessary for keeping up and maintaining such dam, and to acquire title to such lands for such purposes by pur-

Authorized to build and maintain a dam.

Flowage rights.

chase, lease or condemnation; and in case said Bertrand G. Chandos and George E. Hoskinson, their heirs, associates and assigns, are unable to agree with the owners of such lands so necessary for said purposes, for purchase, lease or use thereof, and the right of flowage thereof, or as to compensation to be made for taking or flooding any such lands, then they, the said Bertrand G. Chandos and George E. Hoskinson, their associates, heirs and assigns, may acquire the same by proceedings of condemnation, in the manner provided and set forth in section 1777, of the revised statutes of this state, as amended by chapter 318, of the laws of 1882, the provisions of which said section and chapter are hereby made applicable for the purpose of acquiring any such lands, for the purpose aforesaid, under this act.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 110, S.] [Published March 27, 1895.

CHAPTER 83.

AN ACT to amend chapter 2, of the general laws of the state of Wisconsin for 1893, and to fix the time, for holding the term of court for the several counties in the ninth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court in the ninth judicial circuit.

SECTION 1. Section 3, of said chapter 2, of the laws of 1893, is hereby amended so as to read as follows: The terms of the circuit court for the several counties of the ninth judicial circuit shall be as follows: For the county of

Adams, the first Tuesday in June and the third Tuesday in December. For the county of Columbia, the second Tuesday in May and the first Tuesday in December. For the county of Dane, the second Monday in January, the Monday after the first Tuesday in April, the fourth Monday in June, and the third Monday in September; but no jury shall be summoned for the term in June. For the county of Marquette, the second Tuesday in June, and the Tuesday after the third Monday in November. For the county of Sauk, the second Tuesday in March, and the third Tuesday in October. Every general term in the counties of Columbia, Dane, Marquette and Sauk shall be a special term for the whole judicial circuit.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 25, 1895.

No. 210, A.] [Published March 27, 1895.

CHAPTER 84.

AN ACT to authorize the construction and operation of telegraph and telephone lines within the limits of public highways.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Operating telegraph and telephone lines on public highways.

SECTION 1. Any person or persons may, with the written consent of the supervisors of the town, construct and operate a line of telegraph or telephone along and within the limits of any highway, subject to the restrictions and conditions contained in section 2, of this act.

How posts shall be set and es strung.

SECTION 2. All posts or poles used in the construction of such telephone or telegraph

lines shall be set upon the boundary line of such highway, and in such a manner as not to interfere with the use of such highway by the public; and all wires strung upon such posts or poles shall be not less than twenty-four feet above the ground, at all public, private or railroad crossings, and not less than fourteen feet above the ground at all other places.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 22, 1895.

No. 86, S.] [Published March 27, 1895.

CHAPTER 85.

AN ACT to define the time "nighttime" when used in any statute, ordinance, indictment or information.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Term "nighttime" defined.

SECTION 1. The time "nighttime" when used in any statute, ordinance, indictment or information in this state shall be deemed to be the time between one hour after the sunsetting on one day and one hour before sunrising on the next day; and in all cases the time of sunsetting and sunrising shall be ascertained according to mean time in the place where the term may be used, as given in any published almanac.

SECTION 2. This act shall be in full force and effect from and after its passage and publication.

Approved March 23, 1895.

No. 25, S.] [Published March 27, 1895.

CHAPTER 86.

AN ACT to amend section 2342, of the revised statutes, relating to the property rights of married women.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Property rights of married women.

SECTION 1. That section 2342, of the revised statutes is hereby amended so as to read as follows: Section 2342. Any married female may receive by inheritance, or by gift, grant, devise or bequest from any person, and hold to her sole and separate use, and convey and devise, real and personal property, and any interest and estate therein of any description, including all held in joint tenancy with her husband, and the rents, issues and profits in the same manner, and with the like effect as if she were unmarried; and any conveyance, transfer or lien executed by either husband or wife to or in favor of the other shall be valid to the same extent as between other persons.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 23, 1895.

No. 496, A.] [Published March 28, 1895.

CHAPTER 87.

AN ACT to regulate the sale of commercial fertilizers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Sale of fertilizers regulated.

SECTION 1. Every manufacturer, company or person who shall sell, offer or expose for sale in this state any commercial fertilizer, or any material used for fertilizing purposes, the price of which exceeds ten dollars per ton, shall affix to every package of such fertilizer, in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the package sold, or offered for sale, name or trade mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business and a statement of the following fertilizing constituents, namely: The percentage of nitrogen in an available form, the percentage of potash soluble in water, and the percentage of available phosphoric acid, soluble and reverted, as well as total phosphoric acid.

Statement of contents of packages to be affixed to same.

Sample jar of fertilizer to be filed with director of the agricultural experiment station.

SECTION 2. Every manufacturer, company or person who shall offer or expose for sale in this state any commercial fertilizer or material used for fertilizing purposes, the price of which exceeds ten dollars per ton, shall for each and every fertilizer bearing a distinguishing name or trade mark, file annually with the director of the Agricultural Experiment station of the university of Wisconsin, between the first and last days of December, a certified copy of the statement named in section 1, of this act, said certified copy to be accompanied, when required, by a sealed glass jar or bottle containing at least one pound of the fertilizer to be sold or offered for sale, and the company

or person filing said certified copy with its accompanying sample or fertilizer, shall thereupon make affidavit that the said sample corresponds within reasonable limits to the fertilizer which it represents, in the percentage of nitrogen in an available form, total and available phosphoric acid, and potash soluble in water, which it contains, said affidavit to apply to the entire calendar year next succeeding the date upon which it is made. Additional brands may be offered for sale during the year; provided, samples and affidavits are filed as above directed at least one month before such brands of fertilizers are offered for sale, in which case an analysis fee of double the usual amount must be paid. The deposit of the sample of fertilizer as herein provided shall be required by said director, unless the company, manufacturer or persons selling or offering for sale a fertilizer coming within the provisions of this act, shall certify that its composition for the succeeding year is to be the same as given in the last previously certified statement, in which case the requiring of the said sample shall be at the discretion of said director.

Analysis to be made by the director of the agricultural experiment station.

SECTION 3. The director of the Agricultural Experiment station shall analyze or cause to be analyzed all the samples of fertilizers which come into his possession under the provisions of section 2, of this act, and shall publish the results thereof in a bulletin or report on or before the first day of April next succeeding.

Amount of fee to be paid.

SECTION 4. Any manufacturer, importer, agent or seller of any commercial fertilizer coming within the provisions of this act, shall pay annually to the director of the Wisconsin Agricultural Experiment station, for each brand of fertilizer sold within the state a fee of twenty-five dollars, and upon fulfilling the requirements laid upon him by this act, shall for each brand receive from the director a certificate of compliance with this act, which certificate shall be a license permitting the sale of the same within the state for the calen-

dar year for which the fee is paid. All fees received by said director shall be paid by him into the treasury of said Experiment station.

Penalty for evading the law.

SECTION 5. Any manufacturer, importer or person who shall sell, offer or expose for sale in this state any commercial fertilizer without complying with the requirements of sections 1, 2 and 4 of this act, or any fertilizer which contains substantially a smaller percentage of constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined one hundred dollars for the first offense, and two hundred dollars for each subsequent offense.

One sample of each fertilizer to be analyzed annually.

SECTION 6. The director of the Wisconsin Experiment station shall annually analyze, or cause to be analyzed, at least one sample of every fertilizer sold or offered for sale under the provisions of this act. Said director is hereby authorized in person or by deputy to take a sample, not exceeding two pounds in weight, for said analysis, from any lot or package of fertilizer or any material used for manurial purposes which may be in the possession of any manufacturer, importer, agent or dealer in this state; but said sample shall be drawn in the presence of said party or parties in interest, or their representatives, and taken from a parcel or a number of packages which shall not be less than ten per cent. of the whole lot sampled, and shall be thoroughly mixed and then divided into two equal samples and placed in glass vessels and carefully sealed and a label placed on each, stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the director or his deputy and by the party or parties in interest or their representative at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled; and the sample or samples retained by the director shall

be for comparison with the certified statement named in section 2, of this act. The result of analysis of the sample or samples so procured shall be reported to the person or persons requesting the analysis, and shall also be published in a report or bulletin within a reasonable time.

Prosecutions, by whom conducted.

SECTION 7. It shall be the duty of the director of the Wisconsin Agricultural Experiment station to enforce the provisions of this act, and to prosecute or cause to be prosecuted any party or parties violating the same.

SECTION 8. This act shall take effect and be in force from and after December 1st, 1895.

Approved March 23, 1895.

No. 419, S.] [Published March 30, 1895.

CHAPTER 88.

AN ACT relating to the salary of the deputy railroad commissioner and reenacting chapter 281, of the laws of Wisconsin for the year 1889.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Affecting the deputy railroad commissioner.

SECTION 1. Chapter 281, of the laws of Wisconsin for the year 1889, entitled, "An act relating to the salary of the deputy railroad commissioner and appropriating a certain sum of money therefor," is hereby reenacted as the law of this state notwithstanding the provisions contained in chapter 31, of the laws of 1895, entitled, "An act to amend chapter 43, of the laws of 1883, entitled, 'An act in relation to the departments of insurance and railroads.'"

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 332, S.] [Published March 29, 1895.

CHAPTER 89.

AN ACT to amend chapter 247, laws of 1885, entitled, "An act relating to the bureau of labor statistics."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Affecting the term of the commissioner of the bureau labor, census and industrial statistics.

SECTION 1. Section 2, of chapter 247, laws of 1885, is hereby amended to read as follows: The term of office of the present commissioner of the bureau of census, labor and industrial statistics is hereby terminated, and upon the passage and publication of this act the governor shall, with the advice and consent of the senate, appoint a competent person to be commissioner of said bureau, whose term of office shall expire on the first Monday of February, 1897, and thereafter the term of office of said commissioner shall be for two years.

SECTION 2. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 714, A.] [Published March 30, 1895.

CHAPTER 90.

AN ACT relating to municipal bonds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to the issuance of bonds for water works, etc

SECTION 1. Whenever under the provisions of section 133, of chapter 326, of the laws of Wisconsin, of 1889, as amended by section 42, of chapter 312, of the laws of Wisconsin, of 1893, proceedings have been heretofore taken by or in behalf of any city in this state for the issuance of the bonds of such city for the purpose of constructing and operating a system of waterworks, or for any of the purposes mentioned in said section 42, of chapter 312, of said laws of 1893, the provisions of said laws requiring the said bonds to be ratified by a majority of the electors of such city shall be understood and deemed to mean a majority of the electors voting at such election, and in case a majority of the electors of such city voting at such election have voted in favor and in ratification of the issuance of said bonds, such election is hereby declared to be legal and valid, and the bonds of such city issued after such vote, and such bonds have not been negotiated and transferred shall be valid and binding obligations of the city notwithstanding any informalities or irregularities in the proceedings preliminary and prior to the issuance of such bonds.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 24, S.] [Published April 1, 1895.

CHAPTER 91.

AN ACT to appropriate the sums of money therein named to the normal school fund income, and amendatory of section 3, of chapter 185, laws of 1893, entitled "An act to provide for an increase of income of normal schools, and to afford means for the establishment of additional normal schools, and to repeal chapter 402, of the laws of 1891."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriations to the normal school fund income for 1894 and 1895.

SECTION 1. There is hereby appropriated to the normal school fund income out of any money in the state treasury not otherwise appropriated, the following sums: (1) For current expenses of the year 1894--95, six thousand dollars. (2) For libraries, ten thousand three hundred dollars. (3) For equipment for chemical, physical and biological laboratories, museums of natural history, drawing departments and gymnasia, fourteen thousand seven hundred dollars. (4) For heating apparatus, repairs and furniture, forty-one thousand five hundred dollars.

Tax of one-fifth of one mill to be levied annually.

SECTION 2. Section 3, chapter 185, laws of 1893, is hereby amended so as to read as follows: Section 3. For the purpose of conducting and maintaining the state normal schools, there shall be levied and collected annually hereafter as other state taxes are levied and collected, a state tax of one-fifth of one mill for each dollar of the assessed valuation of the taxable property of the state; which amount so levied and collected is hereby appropriated to the normal school fund income for the uses and purposes specified in this section. Provided, that, until the seventh normal school is established and put in operation the sum of

twenty thousand dollars shall be annually returned to the general fund.

$72,500 authorized to be transferred to the general fund.

SECTION 3. For the purpose of carrying out the provisions of this act, the secretary of state and state treasurer, with the consent and approval of the governor, are hereby authorized and empowered to transfer from the trust funds of the state to the general fund the sum of seventy-two thousand five hundred dollars, to be returned to the trust funds from the general fund income for the fiscal year ending on the 30th day of September, 1896.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 414, S.] [Published April 1, 1895.

CHAPTER 92.

AN ACT to appropriate money to pay the additional employes of the legislature of 1895.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation for additional employes of the legislature.

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, a sum sufficient to pay the additional employes of the legislature of 1895, as provided for in joint resolutions of the two houses; provided, that the attendant for the committee on judiciary in the senate shall receive pay from the commencement of the session.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 407, S.] [Published April 3, 1895.

CHAPTER 93.

AN ACT fixing the salary of the state superintendent of public instruction.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Respecting the salary of the state superintendent.

Whereas, The legislature at a session held in the year 1893, passed a joint resolution for the amendment of section 1, of article X., of the constitution of the state of Wisconsin, striking out the following sentence: "Provided, that his compensation shall not exceed the sum of twelve hundred dollars annually," and

Joint resolution concurred in.

Whereas, The legislature of said state for the year 1895, has concurred in said joint resolution, and passed an act submitting the same to a vote of the people at a general election to be held in November, 1896, now, therefore,

Salary to be $3,000 per annum.

SECTION 1. The annual salary of the state superintendent of public instruction from and after the first Monday in January, 1897, shall be three thousand dollars.

When act shall take effect.

SECTION 2. This act shall take effect and be in force from and after the first Monday in January, 1897; provided, that the people of this state shall approve and ratify the amendment to the constitution contained in the foregoing resolution.

Approved March 29, 1895.

No. 64, S.] [Published April 3, 1895.

CHAPTER 94.

AN ACT to permit the building of a free wagon bridge across the Fox river in Marquette county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The towns of Buffalo, Moundville and Douglas in the county of Marquette in the state of Wisconsin, are hereby authorized and empowered to build, construct and maintain a free wagon bridge over and across the Fox river on sections twenty-three or twenty-six, in township number fourteen in the county of Marquette and state of Wisconsin; and for such purpose may erect piers, drive piles, build embankments and approaches in said river and on the banks thereof, suitable and necessary for the proper construction and maintenance of said bridge, and the enjoyment of the rights hereby granted or intended to be granted; provided, that said bridge shall be provided with a proper and suitable draw or swing so as not to obstruct said river unreasonably for navigable purposes. Free wagon bridge to be maintained over Fox river.

SECTION 2. The right is hereby reserved to the state to alter, amend or repeal any or all the provisions of this act. Rights of state reserved.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 343, S.] [Published April 2, 1895.

CHAPTER 95.

AN ACT to amend chapter 272, of the general laws of 1889, entitled, "An act to authorize school boards to purchase United States flags."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

United States flags required to be displayed over school houses.

SECTION 1. Section 1, of chapter 272, of the general laws of 1889, is hereby amended so as to read as follows: Section 1. The school board of each city and school district in the state is hereby directed and required to purchase at the expense of such city or school district, one or more flags of the United States and place and keep one of them in each school room or display from flagstaff on schoolhouse or from flagstaff on the school grounds in said city or school district, and also in like manner to purchase such necessary apparatus or appliances as may be necessary for properly preserving such flag or flags.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 349, A.] [Published April 2, 1895.

CHAPTER 96.

AN ACT to amend chapter 325, of the laws of 1891, entitled, "An act directing the county board of supervisors of Milwaukee county to provide suitable quarters for the additional judges of the superior court for Milwaukee county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1, of chapter 325, of the laws of 1891, is hereby amended so that when amended said section shall read as follows: Section 1. The county board of supervisors for Milwaukee county is hereby authorized and directed to provide suitable quarters for any one or more branches of the superior court of Milwaukee county, at such place or places as the judges of said court may approve. Suitable quarters for superior court to be furnished.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 406, A.] [Published April 3, 1895.

CHAPTER 97.

AN ACT to amend section 87, of chapter 11, of the general charter law relating to repairs and alterations of school buildings.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 87, of chapter 11, of the general charter law, is hereby amended as General charter law amended.

follows: Before the word "all" in the first line prefix the words "in cities of the first and second classes," after the word "works" in the third line insert the words "and in cities of the third and fourth classes in the charge of the board of education," and insert the words "two hundred" instead of the word "fifty" after the word "than" in the fifth line, and omit the words "directed to be made" in the sixth line and substitute the word "approved," so that the section when so amended shall read as follows: Section 87. In cities of the first and second classes all repairs and alterations of school buildings and premises shall be under the charge of the board of public works, and in cities of the third and fourth classes, in the charge of the board of education; but such repairs or alterations, except ordinary repairs costing not more than two hundred dollars, shall first be approved by the common council.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 415, A.] [Published April 3, 1895.

CHAPTER 98.

AN ACT to authorize the Hickerson Roller Mill company, their heirs and assigns, to construct and maintain a dam in and across Wood river in Burnett county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build a dam.

SECTION 1. The Hickerson Roller Mill company, their heirs and assigns, are hereby authorized and empowered to erect, keep up and

maintain a dam across Wood river, in Burnett county, Wisconsin, on northwest quarter of southwest quarter in section fourteen of township thirty-eight north, of range nineteen west, for hydraulic and flooding purposes; said dam shall not raise the water to exceed eight feet and shall be provided with a suitable slide or chute for the passage of logs and timber over the same. Said Hickerson Rolling Mill company, their heirs or assigns, shall keep said dam and slide or chute in repair, and shall keep said slide or chute open at all times when the said river is at a driving stage and there are logs and timber to run over said dam.

Shall be subject to all the provisions of law.

SECTION 2. The dam so erected shall be subject to all provisions of chapter 146, of the revised statutes and acts amendatory thereof, so far as said chapter and acts amendatory may be applied, in like manner as if such provisions were incorporated in this act.

Franchise to run 15 years.

SECTION 3. The aforesaid Hickerson Roller Mill company, their heirs and assigns shall enjoy the privilege granted in this act for a term of fifteen years.

SECTION 4. The right to alter, amend or repeal this act is hereby reserved.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 503, A.] [Published April 3, 1895.

CHAPTER 99.

AN ACT to authorize D. J. Arpin, E. P. Arpin and Joseph L. Dugas, their associates and assigns, to construct, maintain and operate a canal from some point on Hemlock creek, in Wood county, through certain lands and returning again to said Hemlock creek.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build a canal.

SECTION 1. D. J. Arpin, E. P. Arpin and Joseph L. Dugas and their associates and assigns, are hereby authorized and empowered to build, construct and maintain a canal for agricultural purposes and for purposes of transportation, irrigation and drainage from some point on Hemlock creek in Wood county, through certain lands in said county back to said creek.

Where to be located.

SECTION 2. The head of said canal shall be located on Hemlock creek at some convenient point on section seventeen, nineteen or twenty in township twenty-two north, of range four east, to be hereafter selected, at which point in said creek a dam may be constructed, and said canal shall be thence extended in a southerly direction to section thirty-three in said township and range, and from thence in a westerly direction to and connected with Hemlock creek at some convenient point to be hereafter selected.

Size of the canal designated.

SECTION 3. From the point where said canal shall cross the right of way of the Green Bay, Winona and Saint Paul railway southerly to section thirty-three, and in connection with the said Hemlock creek to the right of way of the Chicago, Milwaukee and Saint Paul railway, said canal shall be maintained of sufficient width and depth so as to float small boats drawing not exceeding twelve inches of water

and having a width not exceeding four feet; provided, always, however, that there shall be sufficient water obtainable in said canal for such purpose.

May build and maintain a dam.

SECTION 4. For the purpose of supplying such canal with water the said D. J. Arpin, E. P. Arpin and Joseph L. Dugas, their associates and assigns, are hereby authorized to build, construct and maintain a dam in said Hemlock creek at such point as they may select on the sections hereinbefore named, and to draw water therefrom to supply said canal at the head of said canal.

Open time and charges.

SECTION 5. Said canal shall be open to all persons for purposes of transportation of freight from May first to October twentieth of each year, and the rates that may be charged for the use of said canal for the purposes of transportation of freight thereon, shall not exceed one cent per hundred pounds for each mile of transportation.

Owners of adjoining lands may acquire an interest.

SECTION 6. All persons owning lands along the line of said canal that are used for the cultivation of cranberries may, at any time prior to the construction of said canal, acquire an interest therein. But the interest and control that may be acquired by any one in said canal shall be proportioned to the whole interest, the same as the amount held or invested by him in such business bears to the whole amount owned or invested by all persons interested in such canal; and when not needed for navigation persons so interested in said canal may draw from said canal of the surplus water therein in proportion to their interest under such rules and regulations, however, as may be agreed upon by all the parties interested.

May condemn land four rods wide.

SECTION 7. The persons above named, their associates, heirs and assigns, for the purpose of constructing and maintaining said canal, may acquire by purchase or by condemnation proceedings in accordance with the provi[illegible] of section 1379a of the annotated statutes of Wisconsin, the strip of land two rods wide on each side of the center line of said canal.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 77, A.] [Published April 3, 1895.

CHAPTER 100.

AN ACT to amend sections 924 and 925, of the revised statutes of the state of Wisconsin of 1878, relating to the dissolution of village corporations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Dissolution of village corporations, how effected.

SECTION 1. Section 1, of section 924, of the revised statutes of 1878, is hereby amended to read as follows: Section 924. Whenever an application in writing signed by one-third as many electors of any village incorporated by special act or under the general statutes of this state, as voted for village officers at the next preceding election therefor shall be presented to the village board, praying for dissolution of the village corporation, such board shall submit to the electors of such village, at a general election or special election called by them for that purpose, the question whether or not such village corporation shall be dissolved. The form of the ballot shall be "for dissolution" or "against dissolution;" such ballots shall be deposited in a separate box and such election shall be conducted, the votes thereat canvassed, and statement thereof made, filed and recorded as in other cases.

Duties of the village board of trustees defined.

SECTION 2. Section 925, of the revised statutes of 1878, is hereby amended so as to read as follows: Section 925. If two-thirds of the ballots cast at such election on such proposition shall be for dissolution, such village shall,

at the expiration of six months from the date of such election, cease to be an incorporated village. Within six months the village board shall dispose of the village property and settle, audit and allow all just claims against the village. It shall settle with the village treasurer and other officers of the village, and shall cause assets of the village to be used in paying the debts thereof. If anything remain after paying the village debts, it may designate the manner in which the same shall be used. If it has not sufficient funds to pay the debts of the village, it may levy a tax to cover such deficiency, which shall be collected as other taxes, and shall be paid out by the town treasurer in payment of the outstanding village orders or bonds; and in case of such dissolution of the village, the territory embraced therein shall revert to and become a part of the town from which it was taken, or in which it is then located.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 351, A.] [Published April 3, 1895.

CHAPTER 101.

AN ACT to authorize Abe Johnson to purchase or build and maintain certain dams or other improvements upon Yellow river, in the county of Burnett, in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. For the purpose of improving the navigation of Yellow river, in the county Authorized to construct a dam.

of Burnett, in the state of Wisconsin, Abe Johnson, his heirs or assigns, are hereby authorized to purchase or build, maintain or operate, dams across Yellow river, in said county and state aforesaid, at such points as he may select in the sections and townships hereinafter described, viz.: One dam, to be so purchased or built, maintained and operated, at such point as said Abe Johnson may select in section seven, township forty north, of range sixteen west; one dam, to be purchased or built, maintained or operated, at such point as said Abe Johnson may select in section twenty, township thirty-nine north, of range fourteen west; and also to build and maintain such booms and other improvements upon Yellow river in connection with said dams as may be necessary to facilitate the driving of logs down said Yellow river, and the sluicing of the same through said dams.

How to be constructed and control of same.

SECTION 2. The dams authorized by this act shall be constructed and maintained with suitable gates and sluices for the passage of logs over the same, and the management and control of the said water collected therein, in aid of the navigation of said river; and the said dams and each of the same, together with their gates and sluices, and all other improvements erected or maintained upon said river by said Abe Johnson, his heirs or assigns, under the provisions of this act, shall at all times be under the exclusive control of said Abe Johnson, his heirs or assigns, and be so controlled and managed as in the judgment of said Abe Johnson, his heirs and assigns, will be subservient to the interest of the parties engaged in driving logs down said river.

Compensation for running logs and timber, etc., over same.

SECTION 3. As compensation for the improvements made upon said Yellow river, when said Abe Johnson, his heirs or assigns, shall have erected or purchased, and shall maintain said dams across said river, in the townships and ranges aforesaid, the said Abe Johnson, his heirs and assigns, shall be entitled to, and they are hereby authorized and empowered to

demand, receive, levy, sue for and collect as toll, the sum of six cents per thousand feet, board measure, on all logs or timber sluiced or driven through, or by the aid of either of said dams, or the waters collected therein. And when such logs or timber shall be sluiced or driven through more than one of said dams by aid of the water collected therein, then the said Abe Johnson, his heirs or assigns, shall be entitled to, and they are hereby authorized and empowered to demand, receive, levy, sue for and collect as toll the sum of six cents per thousand feet, board measure, for each of said dams, through which said logs or timber shall be sluiced or driven. And the said Abe Johnson, his heirs or assigns, are hereby authorized to receive and demand said toll before they shall be required to permit the use of the water retained by said dam or dams, for the purpose of sluicing or driving any logs or timber on said river; and in case any logs or timber are sluiced or driven down said river through or below any of said dams, with the consent of said Abe Johnson, his heirs or assigns, or otherwise, without the toll thereon being first paid, the said toll shall be and remain a lien upon all of said logs or timber bearing the same mark until the said toll is paid, which said toll shall have precedence of any and all liens or claims upon said logs or timber, except liens for labor; and the lien thereby given shall be enforced in the same manner and with like effect as liens for labor upon logs, as provided in chapter 103, of the revised statutes of 1878, and the several acts of the legislature amendatory thereof, which said chapter and the acts amendatory thereto are hereby made applicable hereunto, except that the statement of the debt or demand therein required to be filed in the office of the clerk of the court may be filed at any time prior to the first day of October in the year in which the sluicing or driving of said logs or timber through said dams, or any of the same, shall have been done or permitted. The owner or

owners of any logs or timber sluiced or driven down said river through or below said dams, or any of the same, shall be liable for the toll thereof, and any person having a mortgage upon said logs at the time the same are so sluiced or driven, who shall afterwards sell or take possession of said logs by virtue of said mortgage, shall thereby become liable for the toll due thereon; and the said Abe Johnson, his heirs or assigns, are hereby authorized to sue for and receive or recover the same from said mortgagee.

Statutory powers.

SECTION 4. Said Abe Johnson, his heirs or assigns, for the purpose of acquiring any flowage rights that may be deemed necessary in carrying out the provisions of these acts, may exercise all the powers granted to corporations by section 1777, of the revised statutes of 1878, and the several acts of the legislature amendatory thereto; and all the provisions of chapter [section] 1777, and said chapter 146, mentioned therein, are hereby made applicable hereunto.

SECTION 5. All acts and parts of acts, in conflict with the provisions of this act, are hereby repealed.

SECTION 6. The right to alter, amend or repeal this act is hereby reserved.

SECTION 7. This act shall take effect and be in force from and after August 1, 1895.

Approved March 29, 1895.

No. 618, A.] [Published April 2, 1895.

CHAPTER 102.

AN ACT to amend chapter [section] 1987, of the revised statutes of 1878, as amended by chapter 328, laws of 1889, relating to paid fire departments in cities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1987, of the revised statutes for 1878, as amended by chapter 328, of the laws of 1889, is hereby amended by inserting after the word "families" where it occurs in the tenth line of said section as amended, the words "under and in accordance with such reasonable rules and regulations as may be adopted by such association and of paying to the representatives or beneficiaries of deceased members such sums of money as they may be entitled to receive in accordance with the constitution and by-laws of the association," so that said section, when amended, will read as follows: Section 1987. The members of the paid fire department of any city now or hereafter organized, are constituted a body corporate in such city, under the name of the firemen's relief association of the city of ———, for the purpose of giving relief to its sick and disabled members and their families, under and in accordance with such reasonable rules and regulations as may be adopted by such association, and of paying to the representatives or beneficiaries of deceased members such sums of money as they may be entitled to receive in accordance with the constitution and by-laws of the association, and in case any member of any such association shall cease to act with the fire department, of which he has been a member, he shall continue to enjoy all the advantages and benefits of the association so long as he complies with the rules, regula- Fire department association.

tions and by-laws of the same and pays his dues; and every such association shall have all the usual powers of a corporation necessary and proper for the purpose of its organization, and may take by gift, grant, purchase or otherwise, real and personal estate not exceeding fifty thousand dollars in value, and hold, enjoy, lease, convey and dispose of the same, subject to the by-laws and regulations of such corporation; and such property shall be devoted solely to the purposes of, and objects of such corporation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 589, A.] [Published April 2, 1895.

CHAPTER 103.

AN ACT to amend chapter 165, of the laws of 1889, entitled, "An act to regulate the election of supervisors in counties containing not less than one hundred thousand inhabitants."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Election of supervisors in counties of 100,000.

SECTION 1. Section 1, of chapter 165, of the laws of 1889, is hereby amended by adding to the end of section 1, the following words: "Provided, however, that the supervisors elected in any odd-numbered year shall be elected for and hold their offices for the term of one year."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 709, A.] [Published April 3, 1895.

CHAPTER 104.

AN ACT to authorize the county judge of Columbia county to appoint a superintendent of the poor to fill a vacancy.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The county judge of Columbia county is hereby authorized to appoint a superintendent of the poor for said county, to fill the vacancy occasioned by the death of John Q. Adams; such appointment to terminate when the county board of supervisors shall meet. Superintendent of the poor to be appointed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 195, A.] [Published April 3, 1895.

CHAPTER 105.

AN ACT to regulate the disposition of the two per cent. tax on insurance companies in cities and villages, and amendatory of section 1926, of chapter 89, of Sanborn and Berryman's annotated statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1926, of Sanborn and Berryman's annotated statutes, is hereby amended by inserting the words "or part paid Disposition of the two per cent. tax in cities and villages.

on either" after the words "voluntary department," where they occur in the thirty-third line thereof, and by inserting the word "treasurers" after the word "treasurer" where it occurs in the thirty-third line thereof, so that said section when so amended shall read as follows: Section 1926. There shall be paid on the first day of February in each year to the treasurer of any city or village, or town containing an unincorporated village, having or maintaining a regularly organized fire department, as hereinafter provided, for the support and maintenance of such fire department, by every underwriter who shall effect any fire insurance, and by every person who shall act as agent for any fire insurance corporation or underwriter whatever, in such city, village or town, a duty of two per centum upon the amount of all premiums which, during the year or part of a year ending on the next preceding first day of January, shall have been received by such underwriter or agent, or by any other person for him, or shall have been agreed to be paid for any insurance effected or agreed to be effected, or promised by him as such agent or otherwise, against loss or injury by fire, in any such city or village, whether such village be incorporated or not. And no person shall, in any such city, village or town, as underwriter, agent or otherwise, effect or agree to effect, or procure to be effected, any insurance upon which the above duty is required to be paid, until he shall have executed and delivered to such treasurer a bond in the sum of one thousand dollars, with such sureties as such treasurer shall approve, conditioned, that he will annually render to such treasurer on the first day of February in each year a just and true account, verified by his affidavit, of all premiums which, during the year ending on the first day of January preceding such report, shall have been received by him, or any other person for him, or agreed to be paid for any insurance against loss or injury by fire in any such city or village which shall have been

effected or agreed to be effected by him, and that he will annually, on the first day of February, pay to the said treasurer two per centum upon the full amount of such premiums. Every person who shall effect or agree to effect any fire insurance in any such city or village, without having executed and delivered such bond, or who shall wilfully omit to pay such duty, shall, for each offense, forfeit one hundred dollars, which shall be paid into the treasury for the support and maintenance of such fire department. In case the fire department of any such city, village or town be a voluntary department or part paid, or either, having a treasurer or treasurers, all moneys received or collected by virtue of this act shall be paid to the treasurer of such department for the support and maintenance thereof exclusively. No city, village or town shall be entitled to such duty unless it shall have, support or maintain a fire department, consisting in case of a voluntary department, of at least one fire engine company with not less than ten active members, having at least one good fire engine and not less than five hundred feet of sound rubber, leather or other hose, kept in an engine house fit and ready at all times for actual service, and at least one hook and ladder company, with not less than twelve active members, having a good hook and ladder truck; and such companies shall hold meetings at least once a month. And in case of a paid or partly paid fire department, the buildings, machinery and materials hereinbefore enumerated, and the necessary men, teams and equipments, so as to constitute an active and properly equipped department, ready for service at all times. But in case any city, village or town shall have and maintain a system of waterworks with sufficient pressure for fire purposes, with one or more hose companies of not less than ten active members, each having not less than five hundred feet of sound rubber, leather or other hose, with one or more hose carts kept fit and ready at all times for actual service,

such city, village or town shall not be required to maintain a fire engine, and the fire department shall be entitled to receive the two per centum named in this act.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 70, A.] [Published April 2, 1895.

CHAPTER 106.

AN ACT to amend section 1, of chapter 251, of the laws of 1889, in relation to hotels, inns and boarding houses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Penalty for cheating hotel keeper out of board bill.

SECTION 1. Section 1, of chapter 251, of the laws of 1889, is hereby amended by striking out the following words: "Any person who shall put up at any hotel, inn or boarding house, and shall procure any food, entertainment or accommodation, without paying therefor, except their credit is given by express agreement, with intent to cheat or defraud the owner or keeper of such hotel, etc., out of the pay for the same, or if," and by further amending the same so that said section when so amended shall be and read as follows: Section 1. Any person who shall obtain credit at any hotel or boarding house for food, entertainment or accommodation, by means of any false show of baggage or effects brought thereto, or who shall, with intent to cheat or defraud the owner or keeper of any such hotel, inn or boarding house, out of the pay for any such food, entertainment or accommodation,

remove or cause to be removed any baggage or effects from any hotel, inn or boarding house, while there is a lien existing thereon for the proper charges due from him for board and entertainment furnished as aforesaid, shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding three months.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 147, A.] [Published April 2, 1895.

CHAPTER 107.

AN ACT to prohibit the discharge of missiles from firearms, slung shots or other weapons within forty rods of any public park, square or enclosure.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Unlawful discharge of fire arms or missiles in pleasure grounds.

SECTION 1. It shall be unlawful for any person to discharge or cause to be discharged any missile from any firearm, slung shot, bow and arrow or other weapon, within forty rods of any public park, square or enclosure owned or controlled by any municipality within this state and resorted to for recreation or pleasure when such park is situated entirely without the limits of such municipality.

Penalty for violation.

SECTION 2. Any person violating any of the provisions of this act shall, on conviction thereof, be punished by a fine of not less than one dollar, nor more than twenty-five dollars, or by imprisonment in the county jail not exceeding sixty days.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 157, A.] [Published April 2, 1895.

CHAPTER 108.

AN ACT to fix the time of holding the terms of court in the sixteenth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court in the sixteenth judicial circuit.

SECTION 1. From and after July 1, 1895, the terms of court for the sixteenth judicial circuit shall be held as follows: For the county of Marathon, the first Monday in May and the second Monday in November. For the county of Lincoln, the fourth Monday in February and the third Monday in September. For the county of Oneida, the first Monday after the first Tuesday in April and the second Monday in October. Every general term in each of said counties shall be a special term for all the other counties in said circuit.

SECTION 2. Chapter 10, of the laws of Wisconsin for the year 1893, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 1895.

Approved March 29, 1895.

No. 198, A.] [Published April 3, 1895.

CHAPTER 109.

AN ACT to amend section 3318, of the revised statutes, as amended by chapter 287, of the laws of 1881, and chapter 84, of the laws of 1882, relating to liens.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lien law amended.

SECTION 1. Section 3318, of the revised statutes of 1878, as amended by chapter 287, of the laws of 1881, and chapter 84, of the laws of 1882, is hereby amended by striking out the words "as against subsequent purchasers, liens or mortgages in good faith" in the fourteenth and fifteenth lines of the amended section as it is found on page 1847, of volume 2, of the annotated statutes, so that said section 3318, when so amended shall read as follows: Section 3318. No lien hereby given shall exist, and no action to enforce the same shall be maintained, unless within six months from the date of the last charge for performing such work and labor, or of the furnishing of such materials, a claim for such lien shall be filed as hereinafter provided in the office of the clerk of the circuit court of the county in which the lands affected thereby lie, nor unless such action be brought within one year from such date, unless within thirty days next preceding the expiration of one year, the person filing the lien shall make and annex to the instrument on file an affidavit setting forth the interest which he has by virtue of such lien in the property therein mentioned, upon which affidavit the clerk shall endorse the time when the same was filed. The effect of such affidavit shall not continue beyond one year from the time when such lien would otherwise cease to be valid. Such claim for lien may be filed and docketed within such six months, notwithstanding the death of the

owner of the property affected thereby, or the person with whom the original contract was made, with like effect as if he were then living.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 203, A.] [Published April 3, 1895.

CHAPTER 110.

AN ACT to amend sub-section 10, of section 1492a, of the annotated statutes, relating to expense of veterinary surgeon.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expenses of the veterinary surgeon.

SECTION 1. Sub-section 10, of section 1492a, of Sanborn and Berryman's annotated statutes, is hereby amended by adding after the word "purposes," where the same occurs in the third line of said sub-section, the following: "By and with the consent and approval of the governor;" and by striking out after the word "be" in the fifth line of said sub-section, the words "approved by the governor," and inserting in lieu thereof the words "audited, allowed and paid by the secretary of state upon the presentation of an itemized statement and receipts, showing the actual and necessary traveling and experimental expenses with the governor's order of approval of experimental work," so that said sub-section when so amended shall read as follows: Section 10. The state veterinarian shall receive for his services the sum of two thousand dollars per annum, and there shall be allowed for experimental purposes by and with the consent and approval of the governor, a sum not to exceed

five hundred dollars annually, and a sum sufficient to cover his actual and necessary traveling expenses, said sum for experimental purposes and traveling expenses to be audited, allowed and paid by the secretary of state upon the presentation of an itemized statement and receipts showing the actual and necessary traveling and experimental expenses, with the governor's order of approval of experimental work. He shall also be entitled to receive the necessary postage, stationery and usual supplies for the use of his office. He shall, from time to time, issue such bulletins of information as he shall deem advisable, which, together with his report to the governor shall be printed, in such numbers as may be necessary, by the state printer. He may deliver lectures upon veterinary science in the agricultural department of the university when the same shall not interfere with his other duties. The veterinary surgeons called in consultation shall receive the sum of seven dollars per day for each day actually employed and their necessary expenses while performing their duties. They shall be paid upon itemized vouchers certified by the state veterinarian and approved by the governor, and no person shall be considered a veterinary surgeon within the meaning of this act who is not a regular graduate in good standing of some recognized veterinary college in the United States, Canada or Europe. The appraisers herein provided shall receive the sum of two dollars for each day actually employed as such, to be paid out of the county funds upon certificate of the justice of the peace by whom they were summoned. The justice of the peace, sheriff and constable shall receive their fees from their respective counties, as provided by law in criminal cases.

How to be audited and paid.

His duties.

Pay of his assistants.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 215, A.] [Published April 3, 1895.

CHAPTER 111.

AN ACT amendatory of section 2, of chapter 290, of the laws of 1891, relating to registrar in probate for Racine county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Registrar in probate for Racine county; his duties.

SECTION 1. Section 2, of chapter 290, of the laws of 1891, is hereby amended by striking out of said section the words "in the absence of the county judge" following the word "may" in the eleventh line of said section, as printed, and by adding to said section the following: "Such registrar in probate shall have authority to administer oaths and to take affidavits and acknowledgments, and in so doing may use and affix the seal of said county court," so that said section when amended shall read as follows: Section 2. It shall be the duty of such registrar in probate to have the care and custody of the books and records of such county court, and to record and enter in such books and records all the papers and proceedings of such court, of which record or entry is by law required to be kept or made, or is directed to be kept or made by the county judge. Whenever any application, requiring notice of hearing to be given, shall be made to said court, said registrar in probate may make the proper order for the giving of such notice, signing the same, "By the court registrar;" and such order shall have the same force and effect as if made by the court or county judge. Such registrar in probate shall have authority to administer oaths and to take affidavits and acknowledgments, and in so doing may use and affix the seal of said county court.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 262, A.] [Published April 2, 1895.

CHAPTER 112.

AN ACT to provide for the sprinkling of streets in villages.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. All of the provisions of chapter 276, of the laws of 1887, are hereby made to apply to villages incorporated under the general statutes. All authority, powers and duties conferred upon town boards and town clerks, respectively, by said chapter 276, are hereby conferred upon the respective village boards and village clerks of such villages. Powers conferred on village boards.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 240, A.] [Published April 1, 1895.

CHAPTER 113.

AN ACT to provide for the appointment of justices of the peace and constables, to fill vacancies in cities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever a vacancy shall occur from any cause in the office of justice of the peace or constable, in any city incorporated under any special law, the common council shall fill such a vacancy by appointment, and Filling vacancies in office of justice of the peace.

the person so appointed shall hold his office for the residue of the term only.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 271, A.] [Published April 3, 1895.

CHAPTER 114.

AN ACT to authorize Ole Matson, his associates and assigns, to construct and maintain a dam across Trade river in Burnett county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

May build a dam.

SECTION 1. Ole Matson, his associates and assigns, are hereby authorized to construct and maintain a dam across Trade river upon lands owned by said Ole Matson, in section thirty-four, township thirty-seven, range eighteen west, in the county of Burnett; said dam to be constructed for hydraulic and manufacturing purposes; provided, that said dam shall not raise the water to exceed twelve feet.

Penalty for destroying same.

SECTION 2. Any person who shall wilfully break or destroy said dam, or shall open the same shall be liable to the proprietor thereof in an action of trespass to the amount of damages done in addition to the penalty already provided by law, to be recovered before any court of competent jurisdiction.

SECTION 3. The aforesaid person, his associates or assigns, shall enjoy the privilege herein granted for the term of twenty years, unless this act shall be amended or repealed prior to that time.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 338, S.] [Published April 5, 1895.

CHAPTER 115.

AN ACT authorizing county boards to vote aid to agricultural societies to purchase fair grounds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Any county board in this state is hereby authorized to vote aid to an agricultural society, if one be organized in the county, to assist said county to purchase fair grounds, to an amount not exceeding five hundred dollars. County board may aid agricultural society.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 280, S.] [Published April 5, 1895.

CHAPTER 116.

AN ACT relating to the correction of errors in making charges for care of insane.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The provisions of chapter 229, of the laws of 1881, shall be deemed to extend and be applicable to all charges that have been or are hereafter made against any county for the care of persons confined in county hospitals as fully as to those made for care of persons confined in the two state hospitals. Charges for care of insane.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 197, S.] [Published April 6, 1895.

CHAPTER 117.

AN ACT to amend section 1437, of chapter 58, of the annotated statutes, entitled, "Of medical societies."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regarding the disposition of deceased persons for scientific or other purposes.

SECTION 1. Section 1437, of the annotated statutes, is hereby amended by striking out the word "may" where the same occurs in the ninth line of said section, and inserting in lieu thereof the word "shall;" by inserting before the word "deliver" where the same occurs in the ninth line of said section the words "with out charge;" by inserting after the word "society," where the same occurs in the tenth line of said section the words "or of any legally organized medical college;" by striking out the words "upon being personally satisfied," where the same occur in the eleventh line of said section and inserting in lieu thereof the word "stating;" by inserting after the word "traveler," where the same occurs in the fifteenth line of said section the words "who shall have suddenly died;" and by adding to said section the following: "No person so having charge of any such dead body shall sell or deliver the same to any one to be used for scientific or any other purposes outside of the state of Wisconsin. Any officer or other person violating any of the provisions of this act shall be liable to the person, society or cor-

poration aggrieved in the sum of fifty dollars damages to be recovered in an action;" so that said section, as so amended, shall read as follows: Section 1437. Every public officer having charge of the body of any deceased person, required to be buried at the public expense, shall promptly notify the relatives and friends of such deceased, if he knows or can with reasonable diligence ascertain any of them, and shall deliver the body to any relative or friend, who shall claim the same for interment within a reasonable time after notice; but if no relative or friend shall claim the same within forty-eight hours after death, or if the relatives and friends notified shall have expressed acquiescence in such disposition, he shall without charge deliver such body to that member or agent of the state or any county medical society or of any legally organized medical college who shall first present to him an order therefor, signed by the president or secretary thereof, stating that such body will be used only for the promotion of anatomical science within the state, and that the remains shall be afterwards decently buried without public charge. But no body of any person who in his last sickness requests to be buried, or of any stranger or traveler who shall have suddenly died, shall be so disposed of. No person so having charge of any such body shall sell or deliver the same to any one to be used for scientific or any other purposes outside the state of Wisconsin. Any officer or other person violating any of the provisions of this act shall be liable to the person, society or corporation aggrieved in the sum of fifty dollars damages to be recovered in an action.

Penalty for violating the law.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 113, S.] [Published April 5, 1895.

CHAPTER 118.

AN ACT to amend section 927, of the revised statutes relating to powers of city councils and village boards as to streets, etc.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Power of village boards of trustees as to streets, etc.

SECTION 1. Section 927 is hereby amended by adding after the words "or take ground for" the following words: "any street, lane, alley, public ground, square or other place, or for sewers or drainage purposes, or for," so that section 927, when amended shall read as follows: Section 927. The board of trustees of every such village and the common council of every city may exercise all the powers conferred on village boards by sections 895 to 904 inclusive, and proceed in the manner therein prescribed to lay out and open, change, widen or extend any street, lane, alley, public ground, square or other place, or to construct or open, alter, enlarge or extend any drain, canal or sewer, or alter, widen or straighten any water course, or take ground for any street, lane, alley, public ground, square or other place, or for sewers or drainage purposes, or for the use or improvement of a harbor, as well as by the provisions of their charters, and the provisions of the sections aforesaid shall be taken as applicable to such villages and cities.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 115, S.] [Published April 5, 1895.

CHAPTER 119.

AN ACT to provide for the payment of the expenses of the attorney-general and his assistant in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Expenses of attorney-general and assistant may be paid by the state.

SECTION 1. Whenever the duties of the attorney-general or his assistant shall be required outside of the city of Madison, there shall be refunded to them all expenses actually and necessarily made in the discharge of their official duties. The amount of each account for such expense, stated in detail and verified by affidavit, shall be audited by the secretary of state and paid out of the treasury.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 123, S.] [Published April 5, 1895.

CHAPTER 120.

AN ACT to amend section 2282, of Sanborn and Berryman's statutes in relation to the execution of wills.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2282, of Sanborn and Berryman's statutes is hereby amended by adding

Wills to be in writing and attested after Jan. 1, 1896.

thereto after the word "state" in line two of said section 2282, the following words: "after January 1st, 1896" and at the end of line six of said section, after the word "witnesses" the following words: "in the presence of each other," so that when section 2282 is amended it shall read as follows: Section 2282. No will made within this state after January 1st, 1896, except such nuncupative wills as are mentioned in this chapter shall be effectual to pass any estate, whether real or personal, nor to change or in any way affect the same, unless it be in writing and signed by the testator or by some person in his presence and by his express direction, and attested and subscribed in the presence of the testator by two or more competent witnesses in the presence of each other, and if the witnesses are competent at the time of attesting the execution of the will, their subsequent incompetency from whatever cause it may arise, shall not prevent the probate and allowance of the will, if it be otherwise satisfactorily proved.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 38, S.] [Published April 5, 1895.

CHAPTER 121.

AN ACT to amend section 1753, of the revised statutes as amended by chapter 93, laws of 1881, relating to the consideration for which the stock of private corporations may issue.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How private corporations may issue stock.

SECTION 1. Section 1753, of the revised statutes, as amended by chapter 93, laws of 1881, is hereby amended by striking out the words "stock dividends or other" where they occur in the body of said section, so that said section when amended shall read as follows: "Section 1753. No corporation shall issue any stock or certificates of stock except in consideration of money, or labor or property estimated at its true money value, actually received by it, equal to the par value thereof, nor any bonds or other evidence of indebtedness, except for money, labor or property estimated at its true money value, actually received by it, equal to seventy-five per cent. of the par value thereof, and all stocks and bonds issued contrary to the provisions of this section, and all fictitious increase of the capital stock of any corporation, shall be void; provided, however, that any corporation whose stock or bonds have been, or shall hereafter be, admitted to the stock exchange of Chicago, New York, Boston or Philadelphia, or of either of said cities, may sell such stock or bonds so admitted at the best price or prices current for the time being obtainable therefor on any of the said exchanges at which the same shall be offered for sale."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 52, S.] [Published April 5, 1895.

CHAPTER 122.

AN ACT to establish a law uniform with the laws of other states relating to the presentment of notes, checks, drafts or bills of exchange, and abolishing days of grace.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

"No days of grace" allowed.

SECTION 1. That all promissory notes, checks, drafts and bills of exchange shall hereafter be due and payable as therein provided, without days of grace being allowed.

When notes, checks, drafts, shall fall due after Sunday or a holiday.

SECTION 2. That all promissory notes, checks, drafts or bills of exchange that shall fall due on Sundays or any other legal holiday, shall be payable and presentable for payment on the secular or business day next succeeding such Sunday or holiday.

SECTION 3. All laws or parts of laws contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 100, S.] [Published April 5, 1895.

CHAPTER 123.

AN ACT to provide for dower in the absence of testamentary provision.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is added to the revised statutes a new section to be known as section 2172a, which shall read as follows: Section 2172a. When no provision shall be, or shall heretofore have been made for a widow in her husband's will, and she shall not be, or shall not have been, entitled to an election under section 2170, she shall, without the doing of any act on her part, be entitled to the share of his estate provided in the preceding section, and the acts amendatory thereof. Share of estate due widow.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 51, S.] [Published April 5, 1895.

CHAPTER 124.

AN ACT to establish a law uniform with the laws of other states relating to the execution of wills.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. A last will and testament, executed without this state in the mode prescribed

When wills shall be deemed legally executed.

by the law, either of the place where executed, or of the testator's domicile, shall be deemed to be legally executed, and shall be of the same force and effect as if executed in the mode prescribed by the laws of this state; provided, said last will and testament is in writing and subscribed by the testator.

SECTION 2. All laws or parts of laws contravening the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 53, S.] [Published April 5, 1895.

CHAPTER 125.

AN ACT to establish a law uniform with the laws of other states relating to the acknowledgment of written instruments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Forms of acknowledgment, legality of.

SECTION 1. Either the forms of acknowledgment now in use in this state, or the following, may be used in the case of conveyances or other written instruments, whenever such acknowledgment is required or authorized by law for any purpose:

(Begin in all cases by a caption specifying the state and place where the acknowledgment is taken.)

New form of acknowledgment—Acting in ones own right.

1. In the case of natural persons acting in their own right:

On this——day of——, 18—, before me personally appeared A B (or A B and C D), to me known to be the person (or persons) described in and who executed the foregoing instrum-

and acknowledged that he (or they) executed the same as his (or their) free act and deed.

2. In the case of natural persons acting by attorney:

Form in case person acts by attorney.

On this —— day of ——, 18—, before me personally appeared A B, to me known to be the person who executed the foregoing instrument in behalf of C D, and acknowledged that he executed the same as the free act and deed of said C D.

3. In the case of corporations or joint-stock associations:

In case of corporations or joint stock associations.

On this —— day of ——, 18—, before me appeared A B, to me personally known, who, being by me duly sworn (or affirmed), did say that he is the president (or other officer or agent of the corporation or association) of (describing the corporation or association), and that the seal affixed to said instrument is the corporate seal of said corporation (or association), and that said instrument was signed and sealed in behalf of said corporation (or association) by authority of its board of directors (or trustees), and said A B acknowledged said instrument to be the free act and deed of said corporation (or association).

(In case the corporation or association has no corporate seal, omit the words "the seal affixed to said instrument is the corporate seal of said corporation (or association), and that," and add, at the end of the affidavit clause, the words "and that said corporation (or association) has no corporate seal.") (In all cases add signature and title of the officer taking the acknowledgment.)

SECTION 2. The acknowledgment of a married woman when required by law may be taken in the same form as if she were sole, and without any examination separate and apart from her husband.

In case of married women, how taken.

SECTION 3. The proof or acknowledgment of any deed or other written instrument required to be proved or acknowledged in order to enable the same to be recorded or read in evidence, when made by any person without this

How proof of acknowledgment may be made and proved.

state and within any other state, territory or district of the United States, may be made before any officer of such state, territory or district authorized by the laws thereof to take the proof and acknowledgment of deeds, and when so taken and certified as herein provided, shall be entitled to be recorded in this state, and may be read in evidence in the same manner and with like effects as proofs and acknowledgments taken before any of the officers now authorized by law to take such proofs and acknowledgments, and whose authority so to do is not intended to be hereby affected.

Certificate of secretary of state to be attached, when.

SECTION 4. To entitle any conveyance or written instrument, acknowledged or proved under the preceding section, to be read in evidence or recorded in this state, there shall be subjoined or attached to the certificate of proof or acknowledgment, signed by such officer, a certificate of the secretary of state or territory in which such officer resides, under the seal of such state or territory, or a certificate of the clerk of a court of record of such state, territory or district in the county in which said officer resides or in which he took such proof or acknowledgment, under the seal of such court, stating that such officer was, at the time of taking such proof or acknowledgment, duly authorized to take acknowledgments and proofs of deeds of lands in said state, territory or district, and that said secretary of state, or clerk of court, is well acquainted with the handwriting of such officer, and that he verily believes that the signature affixed to such certificate of proof or acknowledgment is genuine.

Form of authentication of proof.

SECTION 5. The following form of authentication of the proof or acknowledgment of a deed or other written instrument when taken without this state, and within any other state, territory or district of the United States, or any form substantially in compliance with the foregoing provisions of this act, may be used:

Begin with a caption specifying the state, territory or district, and county or place where the authentication is made.

I, —— ——, clerk of the —— in and for said county, which court is a court of record, having a seal (or I, —— ——, the secretary of state of such state or territory), do hereby certify that —— ——, by and before whom the foregoing acknowledgment (or proof) was taken, was, at the time of taking the same, a notary public (or other officer) residing (or authorized to act) in said county, and was duly authorized by the laws of said state (territory or district) to take and certify acknowledgments or proofs of deeds of lands in said state (territory or district), and further that I am well acquainted with the handwriting of said —— ——, and that I verily believe that the signature to said certificate of acknowledgment (or proof) is genuine.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court (or state) this —— day of ——, 18—.

Proof of acknowledgment when persons resides without the United States.

SECTION 6. The proof or acknowledgment of any deed or other instrument required to be proved or acknowledged in order to entitle the same to be recorded or read in evidence, when made by any person without the United States, may be made before any officer now authorized thereto by the laws of this state, or before any minister, consul, vice-consul, charge d'affairs, or consular agent of the United States resident in any foreign country or port, and when certified by him under his seal of office it shall be entitled to be recorded in any county of this state, and may be read in evidence in any court in this state, in the same manner and with like effect as if duly proved or acknowledged in this state.

SECTION 7. All laws or parts of laws contravening the provisions of this act, are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 33, S.] [Published April 5, 1895.

CHAPTER 126.

AN ACT to amend section 2537, of the revised statutes of the state of Wisconsin, in relation to special venires for jurors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to special venires for jurors.

SECTION 1. Amend section 2537, of the revised statutes of the state of Wisconsin, so as to read as follows: Section 2537. Whenever at any term of any circuit court, there shall be an entire absence of jurors of the regular panel, whether from an omission to draw and summon the same, or because of a challenge to the panel, or from any other cause, the court may order a special venire to issue and in such order may direct the number to be summoned; immediately on the making of such order, the clerk of the court, in the presence of the judge thereof, shall proceed to draw from the box containing the names of the persons returned as petit jurors for that year, the number of persons specified in such order; thereupon such special venire shall be directed to the sheriff of the county, commanding him to summon the persons so drawn, to appear before said court forthwith or at such time as shall be directed by order of the court; and whenever there shall be a deficiency of jurors of the regular panel, at any time during the term, for any cause whatever, the court may order a sufficient number to be drawn and summoned in the same manner as in this section specified, to supply such deficiency. The names so drawn to serve in such manner as herein specified, and not held to serve, shall be returned to the box in which are kept the names of such petit jurors for such year, subject to be drawn for any subsequent term of court.

SECTION 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 138, S.] [Published April 5, 1895.

CHAPTER 127.

AN ACT amendatory of and supplementary to chapter 116, of the annotated statutes of Wisconsin, entitled, "Of jurors."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. All the provisions of section 2544a to r of the annotated statutes of Wisconsin relating to and regulating the manner of drawing petit jurors in certain counties, shall be equally applicable to municipal courts in counties containing a population of over one hundred fifty thousand people. The commissioners provided for in said sections shall, in addition to the list of names furnished to the clerk of the circuit court of such county, furnish to the clerk of the municipal court of such county separate lists of persons to be drawn from the body of the county to serve as petit jurors in such municipal court at the time and times provided in said sections; and such list of names when so made up shall constitute the jury list of such municipal court, from which all petit jurors shall be drawn in the manner prescribed in said section. Drawing jurors for municipal courts in counties of 150,000 people.

SECTION 2. Grand jurors in all the counties of this state shall be selected, drawn and sum- Grand jurors, how drawn.

moned as provided in chapter 116, of the annotated statutes of Wisconsin.

SECTION 3. All provisions of law contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 50, S.] [Published April 5, 1895.

CHAPTER 128.

AN ACT to establish a law uniform with the laws of other states relative to the probate in this state of foreign wills.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Exemplified copy of will may be admitted to probate.

SECTION 1. That any will duly admitted to probate without this state, and in the place of the testator's domicile, may be duly admitted to probate and recorded in this state by duly filing an exemplified copy of said will and of the record admitting the same to probate; and such will shall then have the same force and effect as if originally proved and allowed in this state.

SECTION 2. All laws or parts of laws contravening the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 49, S.] [Published April 5, 1895.

CHAPTER 129.

AN ACT to establish a law uniform with the laws of other states relating to the sealing of deeds and other written instruments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Additional mode of executing deeds.

SECTION 1. In addition to the mode in which such instruments may now be executed in this state, hereafter all deeds and other instruments in writing executed by any person or by any private corporation, not having a corporate seal, and now required to be under seal, shall be deemed in all respects to be sealed instruments, and shall be received in evidence as such; provided, the word "seal" or the letters "L S" are added in the place where the seal should be affixed.

Seals may be impressed directly upon the instrument.

SECTION 2. A seal of a court, public officer or corporation may be impressed directly upon the instrument or writing to be sealed, or upon wafer, wax or other adhesive substance affixed thereto, or upon paper or other similar substance affixed thereto by mucilage or other adhesive substance. An instrument or writing duly executed in the corporate name of a corporation, which shall not have adopted a corporate seal, by the proper officers of the corporation under any seal, shall be deemed to have been executed under the corporate seal.

SECTION 3. All laws or parts of laws contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 3, 1895.

No. 260, S.] [Published April 5, 1895.

CHAPTER 130.

AN ACT to amend chapter 330, of the laws of 1889, relating to maintenance and care of chronic insane.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Trustees of insane asylum, receive no compensation.

SECTION 1. Section 3, of chapter 330, of the laws of 1889, entitled, "An act relating to the maintenance and care of the chronic insane in counties having a population of more than one hundred thousand, and an asylum therefor;" is hereby amended so as to read as follows: "Section 3. Such trustees shall receive no compensation."

SECTION 2. All acts and parts of acts in conflict with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 4, 1895.

No. 348, S.] [Published April 9, 1895.

CHAPTER 131.

AN ACT to amend section 1, chapter 513, laws of 1887, as amended by chapter 265, laws of 1889, relating to the Wisconsin Veterans' Home.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1, chapter 513, laws of 1887, as amended by chapter 265, laws of 1889,

is hereby amended by striking out the words "quarterly" and "quarter," where they appear in said section, and in lieu thereof, insert the words "monthly" and "month," so that said section when amended shall read as follows: Section 1. Whenever the Wisconsin Veterans' Home, an institution duly incorporated, pursuant to the laws of this state, under the auspices of the department of Wisconsin Grand Army of the Republic, for the purpose of founding and maintaining a home for destitute honorably discharged union soldiers, sailors and marines of the late civil war, and the destitute wives and widows who may be residents of this state, shall have been established and put in operation, and such fact shall have been certified by the department commander of the department of Wisconsin Grand Army of the Republic to the governor of this state the sum of three dollars a week for each inmate of such home shall be paid by the state treasurer to the treasurer of the board of trustees of such home monthly, upon bills properly certified under oath, by the president and secretary of such board of trustees, stating the name of the inmates for whose maintenance therein compensation shall be claimed and the length of time during the month each of such persons shall have been maintained therein; provided, that no money shall be paid from the state treasury for the maintenance of any inmate in said Wisconsin Veterans' Home except destitute union soldiers, sailors and marines who have been honorably discharged, who are residents of the state of Wisconsin and who cannot be received into any national home for disabled volunteers, or such destitute women, residents of the state of Wisconsin as are the wives or widows of men who were union soldiers, sailors and marines during the time of the civil war.

3.00 per week to be paid by the state—when.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 5, 1895.

No. 328, S.] [Published April 8, 1895.

CHAPTER 132.

AN ACT defining and establishing public warehouses, and regulating the management and operation thereof; providing for inspecting, weighing, storing, receiving and shipping grain within certain cities of the state, and providing penalties for violations thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Public warehouses—when.

SECTION 1. All elevators or warehouses in this state having a storage capacity of one hundred thousand bushels and upwards, in which grain is stored in bulk, and in which grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of the different lots or parcels cannot be accurately preserved, and all such elevators and warehouses as shall be operated for a compensation are hereby declared to be public warehouses.

Proprietor or lessee of public warehouse shall take out a license.

SECTION 2. The proprietor, lessee or manager of any such public warehouse shall keep an office for the transaction of its business within this state, and if such warehouse be located in any town, village or city within this state where grain is bought and sold in open market, or in any regularly established board of trade or exchange, then such office shall be kept and maintained for the purpose of transacting its business within the limits of such town, village or city; and the proprietor, lessee or manager of any such elevator or warehouse which shall be located in any city in this state having a population of less than one hundred and fifty thousand inhabitants, and having therein a regularly organized board of trade with a membership of at least seventy-five members, and which shall have received in membership fees at least the sum of five thou-

sand dollars, shall be required before transacting any business to procure a license, as hereinafter provided, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the laws of this state; which license shall be issued from the office in which the bond, hereinafter provided for, shall be filed; which license shall set forth the location and name of said warehouse and the individual name of each person interested as owner or principal in the management of the same; or if such warehouse be owned or managed by a corporation, the names of the officers of such corporation shall be stated, and the said license shall give authority to carry on and conduct the business of the public warehouse in accordance with the laws of this state for one year from date of its issue, unless sooner revoked as provided herein.

Person licensed shall execute a bond.

SECTION 3. The person, persons or corporations receiving license as herein provided shall execute a bond to the state of Wisconsin with good and sufficient surety or sureties to be approved by the clerk of the circuit court for the county in which such warehouse is located, in the penal sum of five thousand dollars for each warehouse of one hundred thousand bushels storage capacity and an additional sum of two thousand five hundred dollars for each and every additional one hundred thousand bushels or fractional part thereof capacity for storing grain, conditional for the faithful performance of his duties and his full compliance with all the laws of this state in relation thereto, which said bond so approved as aforesaid shall be filed in the office of the city clerk of such city, and a fee of two dollars shall be paid by the person applying for such license, one-half of which shall be paid to the clerk of the circuit court, and the balance in the office in which said bonds shall be filed; provided, that when any person or corporation procures a license for more than one warehouse in any county in this state no more than one bond need be given.

Public warehouse shall receive grain for storage without discrimination, conditions and regulations for storing.

SECTION 4. Every public warehouse or elevator located in any such city aforesaid shall receive for storage any grain, dry and in a suitable condition for warehousing that may be tendered to it in the usual manner in which such warehouses are accustomed to receive the same in the ordinary and usual course of business, not making any discrimination between persons desiring to avail themselves of warehouse facilities; all grain so received shall be in all cases weighed, inspected and graded by weighers and inspectors appointed as herein provided and stored with grain of a similar grade. No owner, lessee or manager of any such public warehouse shall receive for storage any marketable grain until the same shall have been properly weighed and inspected as provided for herein, nor shall he issue receipts for any grain excepting such receipts as are provided for herein. And in no case shall grain of a different grade be mixed together while in store, but if the owner or consignee so requests, and the warehouseman consents thereto, his grain of the same grade may be kept in a bin by itself apart from that of other owners, which bin shall thereupon be marked and known as a special bin. If a warehouse receipt be issued for grain so kept separate, it shall state upon its face that it is in a special bin, and shall state the number of such bin, and all grain delivered from such warehouse shall be inspected, on its delivery, by an inspector of grain appointed hereunder. Nothing in this section shall be construed to require the receipt of any kind of grain into any warehouse in which there is not sufficient room to accommodate or to store it properly, or in case where such warehouse is necessarily closed. The charges for weighing and inspection, upon receipt and delivery, shall be paid by the warehouseman and may be added to the charge of storage. The inspector or weigher may recover such charges of the warehouseman by an appropriate action in his name.

Warehouse receipts to be issued to owner of grain.

SECTION 5. Upon the application of the owner or consignee of grain stored in a public warehouse, located in any such city aforesaid, the same being accompanied with evidence that all transportation or charges which may be a lien upon the grain, including charges for inspection and weighing, have been paid, the warehouseman shall issue to the person entitled to receive it a warehouse receipt therefor, subject to the order of the owner or consignee, which receipt shall bear date corresponding with the receipt of the grain in store, and shall state upon its face the quantity and inspected grade of the grain, and that the grain mentioned in it has been received into store to be stored with grain of the same grade by inspection; and that it is deliverable upon the return of the receipt properly indorsed by the person to whose order it was issued and the payment of proper charges for storage. All warehouse receipts for grain issued by the same warehouse shall be consecutively numbered and shall be dated at the city in which said warehouse is located, and no two receipts bearing the same number shall be issued from the same warehouse during any one year, except in case of lost or destroyed receipt, in which case the new receipt shall bear the same date and number as the original and shall be plainly marked on its face "duplicate." If the grain was received from railroad cars, the number and initials of each car shall be stated upon the receipt, with the amount it contained; if from team or by other means, the manner of its receipt shall be stated on its face.

Warehouse receipts to be "cancelled" after delivery of grain, details as to receipts.

SECTION 6. Upon the delivery of grain from store upon any receipt, such receipt shall be plainly marked across the face the word "canceled," with the name of the person canceling the same, and shall thereafter be void, and shall not again be put in circulation, nor shall grain be delivered twice upon the same receipt. No warehouse receipt shall be issued except upon actual delivery of grain into store in the warehouse from which it purports to be issued and

which is to be represented by the receipts. Nor shall any receipt be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. Nor shall more than one receipt be issued for the same lot of grain, except in cases where a receipt for a part of a lot is desired, and then the aggregate receipts for a particular lot shall cover that lot and no more. In cases where a part of the grain represented by the receipt is delivered out of store, and the remainder is left, a new receipt may be issued for such remainder, but the new receipt shall bear the same date as the original, and shall state on the face that it is the balance of the receipt of the original number, and the receipt upon which a part has been delivered shall be cancelled in the same manner as if it had all been delivered. In case it be desirable to divide one receipt into two or more, or in case it be desirable to consolidate two or more receipts into one, and the warehouseman consents thereto, the original receipt shall be canceled the same as if the grain had been delivered from store, and the new receipts shall express on their face that they are a part of another receipt or a consolidation of other receipts, as the case may be; and the numbers of the original receipts shall also appear upon the new ones issued, as explanatory of the change; but no consolidation of receipts of dates differing more than ten days shall be permitted, and all new receipts issued for old ones cancelled as herein provided, shall bear the same date as those originally issued, as near as may be.

Delivery of grain on presentation of receipts.

SECTION 7. On the return of any warehouse receipt by him properly endorsed, and the tender of all proper charges upon the property represented by it, such property shall be immediately delivered to the holder of such receipt, and it shall not be subject to any further charges for storage after demand for such delivery shall have been made and the property represented by such receipt shall be delivered within twenty-four hours after such demand shall have been made and the cars or vessels

for the same shall have been furnished. The warehouseman in default shall be liable to the owner of such receipt for damages for such default in the sum of one cent per bushel and in addition thereto one cent per bushel for each and every day of such neglect or refusal to deliver; provided, no warehouseman shall be held in default in delivery if the property is delivered in the order demanded, and as rapidly as due diligence, care and prudence will justify.

Amount of each kind of grain to be conspicuously posted each week.

SECTION 8. The owner, lessee or manager of every public warehouse located in any such city as aforesaid, shall, on or before Tuesday of each week, cause to be made out, and shall keep posted up in the business office of his warehouse in a conspicuous place, a statement of the amount of each kind and grade of grain in store in his warehouse at the close of the business on the previous Saturday, such business place being the place contemplated in section 2, of this act, as the office for the transaction of the business of such warehouse. He shall keep a book, which shall at all times be open for the examination and inspection of all persons interested in any manner, either in shipping, buying, selling, handling or inspecting grain, stored therein, and which book shall contain a correct daily statement of the amount of each kind and grade of grain received in store in such warehouse on the previous day, also the amount of each kind and grade of grain delivered or shipped by such warehouseman during the previous day and what warehouse receipts have been canceled upon which the grain has been delivered on such day, giving the number of each receipt, the amount, kind and grade of grain received and shipped upon each; also how much grain, if any, was so delivered or shipped, and the kind and grade of it, for which warehouse receipts had not been issued, and when and how such unreceipted grain was received by them, the aggregate of such reported cancellations and delivery of unreceipted grain correspond-

ing in amount, kind and grade with the amount so reported delivered or shipped. They shall also at the same time report what receipts, if any, have been canceled and new ones issued in their stead, as herein provided for.

Table of storage rates to be published annually in a newspaper.

SECTION 9. Every warehouseman or public warehouse located in any such city in this state shall be required during the first week in September of each year to publish in one (1) or more of the newspapers (daily if there be such) published in the city in which such warehouse is situated, a table or schedule of rates for the storage of grain in such warehouse during the ensuing year, which rates shall not be increased during the year, and such published rates, or any public reduction of them, shall apply to all grain received into such warehouse from any person or source, and no discrimination as to rates shall be made, directly or indirectly, by such warehouseman for the storage of grain.

Unlawful to mix grain for his own profit.

SECTION 10. It shall be unlawful for the proprietor, lessee or manager or any employe of any elevator or warehouse located in any such city aforesaid to mix any grain of different grades together, or to select different qualities of the same grade for the purpose of storing or delivering the same; nor shall he attempt to deliver grain of one grade for another, or in any way tamper with grain while in his possession or custody, with a view of securing any profit to himself or any other person. And in no case, even of grain stored in a separate bin, shall he be permitted to mix grain of different grades together while in store. He may, however, on request of the owner of any grain stored in a special bin, be permitted to dry, clean or otherwise improve the condition or value of any such lot of grain, but in such case it shall only be delivered as such separate lot, or as the grade it was originally inspected when received by him, without reference to the grade it may be as improved by such process of drying or cleaning. Nothing in this section, however, shall prevent any warehouseman

Care of grain in the warehouse.

from removing grain while within his warehouse for its preservation or safekeeping. No public warehouseman shall be held responsible for any loss or damage to property by fire while in his custody, provided, reasonable care and vigilance be exercised to protect and preserve the same; nor shall he be held liable for damage to grain by heating, if it can be shown that he has exercised proper care in handling and storing the same, and that such heat or damage was the result of causes beyond his control; and in order that no injustice may result to the holder of grain in any public warehouse of Wisconsin, it shall be deemed the duty of such warehouseman to dispose of, by delivery or shipping in the ordinary and legal manner of so delivering, that grain of any particular grade which was first received by him, or which has been for the longest time in store in his warehouse, and unless public notice has been given that some portion of the grain in his warehouse is out of condition, or becoming so, such warehouseman shall deliver the grain of quality equal to that received by him, on all receipts presented. In case, however, any warehouseman of this state shall discover that any portion of the grain in his warehouse is out of condition or becoming so, and it is not in his power to preserve the same, he shall immediately give notice by advertising in a daily newspaper in the city in which such warehouse is located, by publication at least twice in each week for two successive weeks and by posting a notice in the most public place (for such purpose) in such city, of its actual condition as near as he can ascertain. He shall state in such notice the kind and grade of the grain, and the bins in which it is stored, and shall also state in such notice the receipts outstanding, upon which such grain will be delivered, giving the numbers, amounts and dates of each, which receipts shall be those of the oldest dates then in circulation or uncanceled, the grain represented by which has not previously been declared or receipted for as out of condition;

Not responsible for loss in case of fire.

or if the grain longest in store has not been receipted for, he shall so state and shall give the name of the party for whom such grain was stored, the date it was received, and the amount of it, and the enumeration of receipts, and identification of grain, as so discredited, shall embrace as near as may be, as great a quantity of grain as is contained in such bin. And such grain shall be delivered upon the return and cancellation of the receipts, and the unreceipted grain upon the request of the owner or person in charge thereof. Nothing herein contained shall be held to relieve the said warehouseman from exercising proper care and vigilance in preserving such grain after such publication of its condition, but such grain shall be kept separate and apart from all direct contact with other grain, and shall not be mixed with other grain while in store in such warehouse. Any warehouseman guilty of any act or neglect the effect of which is to depreciate property stored in the warehouse under his control, shall be held responsible as at common law or upon his bond as such warehouseman, and in addition thereto the license of such warehouseman shall be revoked. Nothing in this section shall be so construed as to permit any warehouseman to deliver any grain stored in a special bin, or by itself, as provided in this act, to any but the owner of the lot, whether the same be represented by a warehouse receipt or otherwise. In case the grain declared out of condition, as herein provided for, shall not be removed from the store by the owner thereof within two months from the date of the notice of its being out of condition, it shall be lawful for the warehouseman, where the grain is stored, to sell the same at public auction, for account of said owner by giving ten days' notice by advertisement in a newspaper (daily if there be such) published in the city where such warehouse is located.

Warehouseman not relieved from exercising proper care.

Grain in a special bin may be delivered.

Persons owning property in public warehouses may have access—when.

SECTION 11. All persons owning property, or who may be interested in the same, in any public warehouse located in any such city

aforesaid, and all duly authorized inspectors of such property, shall at all times during ordinary business hours, be at full liberty to examine any and all property stored in any such public warehouse. And all proper facilities shall be extended to such persons by the warehouseman, his agents and servants for an examination, and all parts of such warehouse shall be free for inspection and examination of any person interested in property stored therein, or of any authorized inspector of such property. And all scales used for the weighing of property in public warehouses shall be subject to examination and test by any duly authorized inspector, weighmaster or sealer of weights and measures, at any time when required by any person or persons, agent or agents whose property has been or is to be weighed on such scales. The expense of such test by an inspector or sealer to be paid by the warehouse properietor if the scales are found to be incorrect, but not otherwise. Any warehouseman who may be guilty of continuing to use scales found to be in an imperfect or incorrect condition by such examination and test, till the same shall have been pronounced correct and properly sealed, shall be liable to be proceeded against as provided by law.

Scales subject to examination.

Penalty for use of incorrect scales.

SECTION 12. It shall be lawful for every regularly organized board of trade having seventy-five or more members and having received in membership fees at least five thousand dollars, and located in any city in this state having a population of less than one hundred and fifty thousand inhabitants, to appoint one inspector and one weigher of grain who shall each be required to give bonds with sufficient sureties, in such sums as may be fixed by said board of trade, conditioned for the faithful performance of his duties under this act, and who shall be under the control and direction of said board of trade, and under such rules and regulations as such board of trade may prescribe, and such inspector and weigher shall each have authority to appoint one or more deputies with the

Inspector and weigher of grain may be appointed who shall give bonds.

approval of said board of trade; provided, that in case of two or more boards of trade being located in the same city and having the requirements herein provided, then the board of trade first established and meeting the requirements herein provided shall have authority to appoint such inspector and weigher, and there shall be but one inspector and one weigher in any such city, who shall hold office at the pleasure of such board of trade and until his successor is appointed and qualified.

Secretary of board of trade to act as register of receipts.

SECTION 13. The secretary of every such board of trade shall also act as register of receipts issued by any such warehouse, and shall keep all records, and certify to all proper receipts in such manner and under such rules and regulations as may be prescribed by such board of trade.

Penalty for acting as inspector or weigher without authority.

SECTION 14. Any person who shall assume to act as inspector or weigher of grain who has not been first appointed under the provisions of this act, or who has been so appointed and removed by such board of trade, and who shall inspect or weigh or attempt to inspect or weigh grain, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty dollars, nor more than one hundred dollars, or shall be imprisoned in the county jail not less than thirty days nor more than ninety days or both, in the discretion of the court. Two-thirds of all fines collected under this section shall be paid to the informer and the other third shall be covered into the school fund. No prosecution shall be commenced under this section except on the complaint of an officer of such board of trade or of an inspector or weigher appointed by such board of trade.

Penalty if duly authorized inspector or weigher accepts bribe or neglects his duty.

SECTION 15. Any duly authorized inspector or deputy inspector or weigher of grain who shall be guilty of any neglect of duty, or who shall accept any money or other consideration, directly or indirectly for any neglect of duty or any improper performance of duty as such inspector or weigher of grain, or any person

who shall improperly influence any inspector or weigher of grain in the performance of his duty as such inspector or weigher, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than one hundred dollars, nor more than one thousand dollars, or shall be imprisoned in the county jail not less than thirty days, nor more than one year, or both, in the discretion of the court.

Charges for inspection to constitute a lien on the grain

SECTION 16. All charges for the inspection and weighing of grain shall be and constitute a lien on grain so inspected or weighed, and whenever such grain is inspected or weighed in transit the said charges shall be treated as advance charges, to be paid by the common carrier in whose possession the same is at the time of inspection or weighing.

Standard samples of grain to be furnished by boards of trade.

SECTION 17. It shall be the duty of every board of trade having authority to appoint inspectors and weighers of grain, to furnish any elevator or warehouse in this state, standard samples of grain, as established by the said board of trade, when requested so to do by the proprietor, lessee or manager thereof, at the actual cost of such samples.

Proprietor or lessee of warehouse to be liable for all damages sustained by owner of grain.

SECTION 18. Any proprietor, manager or lessee of any warehouse violating any of the provisions of this act shall be liable to any person, persons or corporations, for all damages sustained thereby, to be recovered before any court having jurisdiction, and if upon the trial of such case before any court of record having jurisdiction it shall appear that such warehouseman has wilfully violated any of the provisions of this act, such court shall make a finding to that effect, and direct by order that the license of such warehouseman be revoked, and upon filing a certified copy of such order in the office from which such license was issued with proof of service thereof, upon the proprietor, lessee or manager of such warehouse, the said license shall be revoked from the time of such filing of said copy and proof of service.

SECTION 19. Any person who shall transact

Penalty for conducting a public warehouse without a license.

the business of a public warehouseman in any such city aforesaid without first procuring a license as herein provided, or who shall continue to transact such business after such license has been revoked (save only that he may be permitted to deliver property previously stored in such warehouse) or who shall violate any of the provisions of this act or fail to comply with any of the conditions thereof, shall forfeit a sum of not less than one hundred dollars, nor more than one thousand dollars, for each and every such offense, and for a continuation of such offense, shall be liable for each and every day such offense continues, in a like sum, to be recovered in an action as provided by statute for the collection of forfeitures.

SECTION 20. All acts and parts of acts in conflict with this act are hereby repealed.

SECTION 21. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 101, S.] [Published April 9, 1895.

CHAPTER 133.

AN ACT to appropriate to the commissioners of fisheries a sum of money herein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$8,000 for "Fish Culture."

SECTION 1. There is hereby annually appropriated to the commissioners of fisheries, in addition to the appropriation now provided by law, the sum of eight thousand dollars; provided, that a part of the amount hereby appropriated shall be used in constructing and maintaining a hatchery at some point in the north half of the state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 106, S.] [Published April 9, 1895.

CHAPTER 134.

AN ACT to authorize L. B. Ring, his heirs or assigns to build and maintain a dam in and across Black river in Clark county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. L. B. Ring, his heirs or his assigns are hereby authorized to construct, maintain and keep a dam in and across Black river in Clark county, not exceeding ten feet in height, at any point between the quarter line running east and west through section twenty-two (22) in township twenty-four (24) north, of range two (2) west, and the quarter line running east and west through section twenty-six (26) in said town. Said dam to be constructed and maintained for power, manufacturing and boomage purposes, and provided with suitable slides or chutes and fishways so as to allow the free passage of fish and saw logs over the same. Authorized to build and maintain a dam.

SECTION 2. In connection with said dam said L. B. Ring, his heirs or assigns are further authorized and empowered to build and maintain suitable piers and booms in and along said river, not more than five thousand feet therefrom, provided that no charge for tolls on logs passing through said booms or over said dam shall be charged or collected, and provided further, that such piers and booms shall be so con- Shall build suitable piers, chutes, etc.

structed, operated and managed, as not to materially obstruct or retard the free passage of logs down said Black river.

SECTION 3. The right to alter, amend or repeal this act is hereby reserved.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 141, S.] [Published April 9, 1895.

CHAPTER 135.

AN ACT relating to the impaneling of the jury upon a trial for an offense punishable by imprisonment in the state prison for life, and amendatory of section 4690, revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Impaneling a jury for offense punishable in the state prison for life.

SECTION 1. Section 4690, of the revised statutes is hereby amended by striking out the word "every" in the first line of said section, and inserting in its place the word "a" and by striking out all of said section after the word "more" in the fourth line thereof and inserting after said word the following: "And if there be two defendants on such trial they shall be allowed thirty-six peremptory challenges, and no more, and if there be more than two defendants they shall be allowed for all of them, forty-eight peremptory challenges, and no more, the whole of the challenges to be divided equally, so far as practicable, among the defendants by the court; and the prosecuting attorney shall be entitled to one-half the number of peremptory challenges allowed to the defendant or defendants, and no more," so that said section, when so amended, will read as

follows: Section 4690. A person who is put upon trial for an offense punishable by imprisonment in the state prison for life, shall be allowed to challenge peremptorily twenty-four of the persons returned as jurors, and no more, and if there be two defendants on such trial they shall be allowed thirty-six peremptory challenges, and no more, and if there be more than two defendants they shall be allowed, for all of them, forty-eight peremptory challenges, and no more, the whole of the challenges to be divided equally, as far as practicable, among the defendants by the court; and the prosecuting attorney shall be entitled to one-half the number of peremptory challenges allowed to the defendant or defendants, and no more.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 163, S.] [Published April 9, 1895.

CHAPTER 136.

AN ACT to increase the appropriation for the purchase of books for the state library, and to amend section 371, of the annotated statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 371, of the annotated statutes is hereby amended by striking therefrom the words "two thousand dollars per year," and inserting in lieu thereof the words "two thousand five hundred dollars per year," so that said section 371, shall read as follows: Section 371. The trustees shall procure for the library from time to time, such law books,

$2,500 a year allowed for state library.

books of reference and works on political science and statistics, but no others, as they shall think reasonably necessary or desirable. There is hereby appropriated for the purpose of paying for such books two thousand five hundred dollars per year. The accounts for such purchases shall be audited by the secretary of state upon affidavits by the state librarian that the books have been received in the library, and upon approval thereof by the trustees, or a majority of them.

SECTION 2. There is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 179, S.] [Published April 9, 1895.

CHAPTER 137.

AN ACT to amend section 4680 of Sanborn and Berryman's statutes, relating to change of venue in criminal cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Change of venue in criminal cases.

SECTION 1. Section 4680 of Sanborn and Berryman's statutes is hereby amended by adding to said section the following: "provided, that where the sentence against a defendant shall be reversed by the supreme court and the cause remanded for a new trial, said defendant may apply for a change of venue on account of the prejudice of the judge of the court in the manner provided by this section at the first term when the cause shall be called for trial after

such reversal," so that said section 4680 when so amended shall read as follows: Section 4680: Any defendant in an indictment found, or information filed in any county in this state, may apply for a change of venue on account of the prejudice of the judge of the court where such indictment is found, or information filed, in the manner provided by law for a change of venue in civil actions; and it shall be the duty of the judge or court to whom such application is made to award such change of venue; but not more than one change of venue shall be awarded in any cause; and such change shall not be awarded after the next term succeeding that at which the accused shall have been arraigned, unless such petition states facts showing the existence of prejudice on the part of the judge, unknown to the petitioner, at any term of the court prior to the making and filing of such petition; and in all cases after a trial shall have been had without a verdict, the accused shall be entitled to one change of venue, if he desire it, and make application therefor at the same term at which such trial was had; provided, that where the sentence against a defendant shall be reversed by the supreme court and the cause remanded for a new trial, such defendant may apply for a change of venue on account of the prejudice of judge of the court in the manner provided by this section at the first term when the cause shall be called for trial after such reversal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 37, A.] Published April 9, 1895.

CHAPTER 138.

AN ACT to establish a home for the custody, training and education of the feeble-minded, epileptic and idiotic, and to appropriate certain sums of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Home for feeble-minded created.

SECTION 1. There is hereby created and established for the care, custody and training of the feeble-minded, epileptic and idiotic of this state, an institution to be known as "The Wisconsin Home for feeble-minded."

State board of control shall select a suitable site and may receive proposals of money, etc.

SECTION 2. The state board of control shall within six months from the passage of this act, select a suitable site for such a home, and shall have power to receive proposals for the donation of land to the state for such site, and to receive the same by gift, or they may purchase such site if no proper location shall be given for that purpose, and they may receive proposals for donations of money or other securities in behalf of this state for the benefit of such home, and they may locate the same, by and with the consent of the governor of the state, at such point as they, together with the governor, shall deem for the best interests of this state, and receive any donations or bequests which may be made for its maintenance and support. Said board shall, as soon as practicable, after the location of said institution, cause to be erected on the site so selected, suitable buildings, and make thereon the improvements necessary to carry into effect the provision of this act. The site selected shall comprise not less than two hundred acres of land, possessing good facilities for drainage and sewerage, and an abundant supply of pure water. Municipalities of this state are hereby empowered to make the donations herein men-

tioned for the establishment and building of such a home.

SECTION 3. The general supervision and government of said home shall be vested in the state board of control of reformatory, charitable and penal institutions, pursuant to the law creating and defining the duties of said board, and said board shall establish a system of government for the institution, and shall make all necessary rules and regulations for enforcing discipline, imparting instruction, preserving health, and for the proper care and training of the persons in said home. The said board shall appoint a superintendent, a matron, and such other officers, teachers and employes as shall be necessary, who shall severally hold their offices or places during the pleasure of said board, and said board shall prescribe their duties and fix their salaries, and all provisions of chapter 298, of the laws of Wisconsin for the year 1881, and chapter 221, of the laws of Wisconsin for the year 1891, and the acts amendatory thereof and supplementary thereto, shall, as far as practicable, apply to the government and management of said home.

Supervision of the board to be vested in board of control.

SECTION 4. All feeble-minded, epileptic and idiotic persons, residents of the state, or any such person found therein, whose residence cannot be ascertained, may be admitted to said home and receive the benefit thereof free of charge, subject to such rules and regulations as may be made by the said board of control, and said board shall adopt and publish a schedule of maximum charges and expenses, for such feeble-minded, epileptic and idiotic persons as may be placed in the said home, but who shall not, for any reason, be entitled to be admitted or kept free of charge; provided, that all provisions of chapter 32, of the revised statutes of the state of Wisconsin, relating to the support of insane persons and the liability of counties therefor, shall also apply, as far as practicable, to persons admitted to said home for the feeble-minded.

Persons who may be admitted to the home.

SECTION 5. All the provisions of chapter 32,

Regarding the admission of patients.

Statutes to rule.

of the revised statutes of the state of Wisconsin and the acts amendatory thereof and supplementary thereto, in relation to the admission of patients to the hospitals or asylums for the insane, of this state, and the proceedings to determine such insanity, and all the powers and duties now conferred or devolved by law upon the several judges in this state, in relation to the commitment of persons to some hospital or asylum for the insane, shall, as far as practicable, apply to the admission of feeble-minded, epileptic and idiotic persons to the home hereby established; and all applications, proceedings, orders and judgments to determine the condition of said insane persons, shall, as far as practicable, apply to the persons committed to the home hereby established; and all the powers and duties conferred, or devolved by law upon the said judges are hereby conferred, devolved and charged upon said judges, as to the proceedings and judicial inquiries, orders, judgments and commitments for the admission of persons to the said home hereby created.

Organization into departments.

SECTION 6. Said home for the feeble-minded shall be organized into the following departments:

Educable classes.

1. A school department for the educable grades or classes.

Helpless classes.

2. A custodial department for the helpless and lower types.

All others.

3. Such other departments, or colonies, as the needs of the institution may require.

Trades and industries to be introduced.

As soon as practicable such trades and manual industries as are adapted to these several departments shall be introduced and established by the said board of control.

Persons now in public institutions may be admitted.

SECTION 7. All persons now confined in any of the charitable, reformatory or penal institutions within the state, who, upon proper examination by the said board of control, shall be found to be of the condition and qualification described by this act, may, by order of said board, by and with the advice and consent of the governor, be transferred to the said "Wis-

onsin Home for Feeble-minded," to be kept and dealt with as prescribed by this act and he rules and regulations made pursuant hereto; and the said board shall make all rules and regulations relating to their temporary or inal discharge.

SECTION 8. For the purpose of carrying into effect the purposes specified in this act, there s hereby appropriated, out of any money in he state treasury not otherwise appropriated, he sum of one hundred thousand dollars. Fifty thousand dollars to be paid during the ear 1895, and fifty thousand dollars to be paid uring the year 1896; which sums may be rawn by the said board upon their warrants s provided by law. Appropriation $100,000.

SECTION 9. All acts and parts of acts so far s they conflict with the provisions of this act re hereby repealed.

SECTION 10. This act shall take effect and e in force from and after its passage and publication.

Approved April 6, 1895.

No. 333, A.] [Published April 10, 1895.

CHAPTER 139.

AN ACT to authorize the boards of trustees of certain incorporated villages to levy corporation taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The board of trustees of every incorporated village, having a population of four thousand or more inhabitants, or which shall hereafter have such number of inhabitants, shall on or before the fifteenth day of October in each year, by resolution to be en- Two-tenths of one per cent. of assessed valuation allowed in villages of 4,000.

tered of record, determine the amount of corporate taxes to be levied and assessed for general purposes on the taxable property in such village, for the current year, which shall not exceed in any one year two-tenths of one per centum of the assessed valuation of said property, unless a majority of the electors voting upon the subject at an election held for that purpose, to be conducted, and the votes canvassed and returned in the manner required by law at special elections in such village, shall vote in favor of levying a greater sum.

SECTION 2. All acts and parts of acts which conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 385, A.] [Published April 10, 1895.

CHAPTER 140.

AN ACT to detach the county of Vilas from the fifteenth judicial circuit, and attach the same to the sixteenth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County of Vilas detached from the fifteenth and attached to sixteenth circuit.

SECTION 1. The county of Vilas is hereby detached from the fifteenth judicial circuit and attached to and made a part of the sixteenth judicial circuit, and the sixteenth judicial circuit shall hereafter comprise the counties of Marathon, Lincoln, Oneida and Vilas.

Terms of court in Vilas county.

SECTION 2. There shall be held in said county of Vilas two terms of the circuit court in each year, viz.: The first Monday in February and the first Monday in September.

SECTION 3. All acts or parts of acts conflicting with this act are hereby repealed, so far as they conflict or are inconsistent with this act.

SECTION 4. This act shall take effect and be in force from and after July 1, 1895.

Approved April 8, 1895.

No. 407, A.] [Published April 10, 1895.

CHAPTER 141.

AN ACT to amend section 118, of chapter 14, of the general charter law, relating to erection of school buildings, and providing offices for board of education.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Board of education to act when there is no board of public works.

SECTION 1. Section 118, of chapter 14, of the general charter law, is hereby amended by adding thereto: "In cities of the third and fourth classes, where there is no board of public works, the power herein conferred shall be exercised by the board of education."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 698, A.] [Published April 10, 1895.

CHAPTER 142.

AN ACT to amend section 12, of chapter 307, of the laws of 1889, entitled, "An act to authorize towns, villages and cities to acquire the title to toll roads."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When towns, cities and villages may acquire title to toll roads.

SECTION 1. Amend section 12, of chapter 307, of the laws of 1889, by adding thereto the following: "Provided, the sale by any toll road company of any portion of its toll road lying within the corporate limits of any city or village shall not affect its charter rights," so that said section, when so amended, shall read as follows: Section 12. Any city or village in this state may acquire the title to that part of a toll road lying within its limits, for the purpose of making the same a public highway, by purchase, or by taking the same by condemnation proceedings in the same manner that each may be authorized to take land of private parties for the purpose of laying out a street; provided, the sale by any toll road company of any portion of its toll road lying within the corporate limits of any city or village shall not affect the charter rights of such toll road company.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 102, A.] [Published April 10, 1895.

CHAPTER 143.

AN ACT to authorize cities, towns and villages to pay for personal property destroyed to prevent the spread of contagious or infectious diseases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever personal property is destroyed by order of the public authorities of any city, town or village, in order to stamp out or prevent the spread of contagious or infectious diseases, the proper city, town or village authorities may, for the purpose of paying therefor, appropriate money from the city, town or village treasury, to an amount not exceeding one hundred dollars to any one family; provided, however, that no money shall be appropriated without the certificate of the local board of health or commissioner of health as to the necessary destruction of such property and the amount and value thereof; and in no case shall an amount greater than the actual value of the destroyed property as determined by the said certificate be appropriated or paid under the provisions of this act. Destruction of personal property in case of contagion.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 268, A.] [Published April 10, 1895.

CHAPTER 144.

AN ACT legalizing the acts of the county board of Florence county, and an ordinance passed by them relating to the division of the town of Commonwealth, and creating the town of Homestead.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Acts of county board legalized.

SECTION 1. The acts of the county board of supervisors of the county of Florence, state of Wisconsin, in passing an ordinance on the twenty-fourth day of February, 1894, dividing the town of Commonwealth and creating the town of Homestead therein, are hereby legalized and made valid.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 219, A.] [Published April 10, 1895.

CHAPTER 145.

AN ACT to place the state roads under the supervision and control of the town boards of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State roads to revert to the towns.

SECTION 1. All that portion of the state roads heretofore laid out and established, in so far as the same are now open and traveled as

highways, shall, on and after sixty days after the passage and publication of this act, revert to the several towns of the state in which such roads or any portion thereof may be situated; and the town board of supervisors of any town in which such roads or any portion thereof may be situated shall have and exercise the care and supervision of such roads as provided for in chapter 52, of the revised statutes of Wisconsin and acts amendatory thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 180, A.] [Published April 10, 1895.

CHAPTER 146.

AN ACT providing for an appropriation of an amount therein named, for the benefit of the fire sufferers of northern Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$10,000 appropriated for "fire sufferers."

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of ten thousand dollars, to be expended as provided in section 2, of this act, in purchasing seed grain and potatoes for persons rendered destitute by forest fires in northern Wisconsin in the summer of 1894, and in the distribution thereof.

How money shall be expended.

SECTION 2. Such portion of the moneys so appropriated as may be found necessary shall be expended under the immediate direction and control of the governor of the state, in purchasing seed grain and potatoes for free distribution among the fire sufferers named in the first section of this act, and in determining

who are properly entitled to such aid, and i the distribution of such grain and potatoes.

Governor may employ assistants.

SECTION 3. The governor is hereby author ized and empowered to employ such aid an assistance as in his judgment may be necessar to determine the amount and kind of seed to b purchased under the provisions of this act, an for the proper distribution thereof.

Unexpended balance to revert to state.

SECTION 4. Such portion (if any) of the sum appropriated by this act as shall not have bee expended as herein provided, on or before th first day of July, 1895, shall be covered into th general fund, and the duties of the governo under this act shall cease.

SECTION 5. This act shall take effect an be in force from and after its passage and pub lication.

Approved April 8, 1895.

No. 313, A.] [Published April 10, 1895.

CHAPTER 147.

AN ACT to amend section 2479, of Sanborn and Berryman's annotated statutes, relating to mileage of jurors in county courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Mileage of jurors, how computed.

SECTION 1. Section 2479, of Sanborn and Berryman's annotated statutes of the state of Wisconsin, is hereby amended by striking out the words "but no mileage" where they occur in the third line of said section, and inserting in place thereof, the words "and six cents per mile for each mile actually traveled in going and returning by the most usual route, but shall be paid for no day when court is not in session unless specially ordered by the presiding judge," so that said section when so

amended shall read as follows: Section 2479. All jurors summoned and attending such county courts shall receive two dollars per day, and one dollar for each half day's attendance; and six cents per mile for each mile actually traveled in going and returning by the most usual route, but shall be paid for no day when court is not in session, unless specially ordered by the presiding judge to be paid out of the county treasury upon like certificates as jurors in circuit courts are paid.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 71, A.] [Published April 10, 1895.

CHAPTER 148.

AN ACT to appropriate a sum of money to the Wisconsin State Horticultural Society.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated the sum of fifteen hundred dollars out of the general fund annually to the Wisconsin State Horticultural society, and five hundred dollars to establish an additional experiment station. $1,500 appropriated annually.

SECTION 2. Chapter 117, of the laws of 1893, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 8, 1895.

No. 259, A.] [Published April 9, 1895.

CHAPTER 149.

AN ACT to amend section 4222, of chapter 177, of the revised statutes, entitled, "Of limitations of time for commencement of actions and proceedings."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Statute of limitations amended.

SECTION 1. Section 4222, of the revised statutes is hereby amended by adding to subdivision 5, of said section, the following: But no action to recover damages for injuries to the person, received without this state, shall be brought in any court in this state when such action shall be barred by any statute of limitations of actions of the state or country in which such injury was received, unless the person so injured shall at the time of such injury have been a resident of this state, so that said section when so amended shall read as follows: Section 4222. Within six years:

Judgment of court.

1. An action upon a judgment of a court not of record.

Action on bond, coupon, etc., made by town, county, city, etc.

2. An action upon any bond, coupon, interest warrant, or other contract for the payment of money, whether sealed or otherwise, made or issued by any town, county, city, village or school district in this state.

Action on contract, liability, etc., expressed or implied.

3. An action upon any other contract, obligation, or liability, expressed or implied, except those mentioned in the last two preceding sections.

Liability created by statute.

4. An action upon a liability created by statute, other than a penalty or forfeiture, when a different limitation is not prescribed by law.

Action for injury to property, or injury to person.

5. An action to recover damages for an injury to property, real or personal, or for an injury to the person, character, or rights of another not arising on contract, except in a case

where a different period is expressly prescribed. But no action to recover damages for injuries to the person, received without this state, shall be brought in any court in this state, when such action shall be barred by any statute of limitations of actions of the state or country in which such injury was received, unless the person so injured shall at the time of such injury have been a resident of this state.

6. An action to recover personal property, or damages for the wrongful taking or detention thereof. Personal property, wrongful taking of.

7. An action for relief on the ground of fraud in a case which was on and before the twenty-eighth day of February, A. D. 1857, solely cognizable by the court of chancery. The cause of action in such case is not deemed to have accrued until the discovery, by the aggrieved party, of the facts constituting the fraud. Relief on ground of fraud.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 98, S.] [Published April 10, 1895.

CHAPTER 150.

AN ACT to amend section 2590, revised statutes of 1878, relating to attorneys and bonds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2590, revised statutes of 1878, is hereby amended so as to read as follows: "Section 2950. No attorneys practicing in this state shall be taken as bail or security on any undertaking, bond or recognizance, in [See chapter 25.]

any action or proceeding, civil or criminal, nor shall any practicing attorney become surety on any bond or recognizance for any sheriff, constable, clerk of court or justice of peace."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 29, 1895.

No. 168, S.] [Published April 10, 1895.

CHAPTER 151.

AN ACT to protect persons, associations and unions of workingmen in their labels, trade-marks and forms of advertising, and to repeal chapter 104, of the laws of 1893, relating to the same matter.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Unlawful to counterfeit a label or trade mark.

SECTION 1. Whenever any person, or any association, or union of workingmen, has heretofore adopted or used, or shall hereafter adopt or knowingly use any label, trade-mark, term, design, device or form of advertisement, for the purpose of designating, making known, or distinguishing any goods, wares, merchandise or other product of labor, as having been made, manufactured, produced, prepared, packed or put on sale by such person or association, or union of workingmen, or by a member or members of such association or union, it shall be unlawful to counterfeit or imitate such label, trade-mark, term, design, device or form of advertisement, or to use, sell, offer for sale, or in any way utter or circulate, any counterfeit or imitation of any such label, trade-mark, term, design, device or form of advertisement.

SECTION 2. Whoever counterfeits or imitates any such label, trade-mark, term, design, device or form of advertisement; or sells, offers for sale or in any way utters or circulates any counterfeit or imitation of any such label, trade-mark, term, design, device or form of advertisement; or knowingly uses any such counterfeit or imitation; or knowingly sells or disposes of, or keeps or has in his possession with intent that the same shall be sold or disposed of, any goods, wares, merchandise or other product of labor to which any such counterfeit or imitation is attached or affixed, or on which any such counterfeit or imitation is printed, painted, stamped or impressed; or knowingly sells or disposes of any goods, wares, merchandise or other product of labor contained in any box, case, can, or package, to which, or on which, any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed; or keeps or has in his possession with the intent that the same shall be sold or disposed of, any goods, wares, merchandise or other product of labor in any box, case, can or package, to which, or on which, any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed, shall be punished by a fine of not less than ten dollars, nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than six months, or by both such fine and imprisonment.

Penalty for counterfeiting or imitating trade marks, labels, etc.

SECTION 3. Every such person, association or union that has heretofore adopted, or used, or shall hereafter adopt or use a label, trade-mark, term, design, device or form of advertisement as provided in section 1, of this act, may file the same for record in the office of the secretary of state by leaving two copies, counterparts or fac-similes thereof, with said secretary and by filing therewith a sworn statement specifying the name or names of the person, association or union on whose behalf such label, trade-mark, term, design, device or form

Trade marks and labels, may be filed in secretary of state's office.

of advertisement shall be filed, the class of merchandise and a separate description of the goods to which it has been or is intended to be appropriated; stating that the party so filing or on whose behalf such label, trade-mark, term, design, device or form of advertisement shall be filed, has the right to the use of the same, and that no other person, firm, association, union or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as may be calculated to deceive, and that the fac-simile copies or counterparts filed therewith are true and correct. There shall be paid for such filing and recording a fee of one dollar. Any person who shall for himself or on behalf of any other person, association or union procure the filing of any label, trade-mark, term, design, device or form of advertisement in the office of the secretary of state under the provision of this act, by making any false or fraudulent representations or declarations, verbally or in writing, or by any fraudulent means, shall be liable to pay any damages sustained in consequence of any such filing, to be recovered by or on behalf of the party injured thereby in any court having jurisdiction, and shall be punished by a fine not exceeding two hundred dollars; or by imprisonment not exceeding one year, or both such fine and imprisonment. Said secretary shall deliver to such person, association or union so filing or causing to be filed any such label, trade-mark, term, design, device or form of advertisement, so many duly attested certificates of the recording of the same as such person, association or union may apply for, for each of which certificates said secretary shall recover a fee of one dollar. Any such certificate of record shall in all suits and prosecutions under this act be sufficient proof of the adoption of such label, trade-mark, term, design, device or form of advertisement. Said secretary of state shall not record for any person, union or association, any label, trade-mark, term, design, device or form of advertisement that would

Fees for filing.

Duties of secretary of state in regard to recording labels.

reasonably be mistaken for any label, trademark, term, design, device or form of advertisement theretofore filed by or on behalf of any other person, union or association.

SECTION 4. Chapter 104, of the laws of 1893, entitled, "An act to protect associations and unions of workingmen in their labels, trademarks and forms of advertising," is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 223, S.] [Published April 11, 1895.

CHAPTER 152.

AN ACT to amend chapter 50, of the revised statutes of Wisconsin, relating to the redemption of lands sold for taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How to redeem certain lands sold for taxes where action is now pending.

SECTION 1. Chapter 50, of the revised statutes of the state of Wisconsin is hereby amended by adding to said chapter a new section to be known as 1210j, which shall read as follows: Section 1210j. In all cases where action is now pending or shall hereafter be commenced for the setting aside of any sale of lands or for the cancellation of any tax certificate or for enjoining or restraining the issuing of a tax deed thereupon, upon the grounds that the lands so sold or described in such tax certificate were not liable to taxation, or where the taxes on such sale were paid prior to such sale, or where such lands have been redeemed according to law, the owner of, or any person interested in the land covered by the lien of said

certificate may, at any time before final judgment is entered in such action, deposit with the county clerk, or when such certificate shall have been issued by a city treasurer, then with the city treasurer, the amount for which such land was sold with interest thereupon from the date of such sale to the date of such deposit at the rate now provided by law together with the legal charges thereon. The said county clerk or city treasurer shall retain such deposit until the final determination of the action, and in case such certificate shall thereafter be vacated and set aside or the issuing of such deed be permanently restrained by the judgment of the court, the money so deposited shall, at the time of entry of judgment, or at any time thereafter, upon demand be returned to the person depositing the same. In case final judgment shall be rendered in such action sustaining the validity of such sale and tax certificate, the court shall compute the interest upon such certificate from the date of such deposit to the date of rendering judgment at the rate now provided by law, together with all costs and disbursements taxable in such action and the amount of such deposit, and shall enter judgment against the plaintiff therefor, and no tax deed shall be issued upon such certificate unless the plaintiff shall fail to pay to such county clerk or city treasurer for the use of the owner of such certificate, the amount of such judgment within twenty days after the rendition thereof together with interest thereupon at the rate provided by law upon such certificates.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 547, A.] [Published April 11, 1895.

CHAPTER 153.

AN ACT to provide for the correction of an error in the levy and collection of certain taxes for the year 1893, in joint school district number one, of the town of Barron and city of Barron, in Barron county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Wrong statement of taxable property.

Whereas, The city clerk of the city of Barron, in his statement to the secretary of state, for the year 1893, by mistake certified that the assessed valuation of all taxable property situate in that part of the city of Barron, lying in joint school district number one of the town of Barron and city of Barron, was nine thousand seven hundred and thirty-seven dollars instead of eighty-four thousand three hundred and forty-eight dollars, which was the true assessed valuation thereof; and

Causing secretary of state to make a wrong apportionment.

Whereas, Through said mistake the secretary of state, in his apportionment of taxes, dated the twentieth day of October, 1893, apportioned to that part of said joint school district number one, lying in the town of Barron, the sum of one hundred and thirty-seven dollars and thirty-three cents of tax for loan to said joint school district number one, when in fact said apportionment should have been the sum of twenty-four dollars and seventy cents, such apportionment being one hundred and twelve dollars and sixty-three cents too large in that part of said district lying in said town and one hundred and twelve dollars and sixty-three cents too small in that part of said district lying in said city.

Joint school district clerk authorized to deduct a certain sum named.

SECTION 1. The clerk of joint school district number one of the town of Barron and city of Barron, in Barron county, is hereby authorized and directed to deduct the sum of one

hundred and twelve dollars and sixty-three cents from the proportionate share of the school district tax for the year 1895, chargeable to that part of joint school district number one of the town of Barron and city of Barron, lying in said town of Barron, and apportion the remainder to said part of said district.

City clerk of Barron authorized to add a certain sum to tax roll.

SECTION 2. The city clerk of the city of Barron, in said county, is hereby authorized and directed to add one hundred and twelve dollars and sixty-three cents to the proportionate share of school district tax, for the year 1895, chargeable to that part of said joint school district number one, lying in said city of Barron and apportion said sum to that part of said district lying in said city.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 197, A.] [Published April 11, 1895.

CHAPTER 154.

AN ACT relating to the destruction of noxious weeds, and amendatory of chapter 145, of the laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Noxious weeds enumerated.

SECTION 1. Section 1, of chapter 145, laws of 1893, is hereby amended so that the same shall read as follows: Section 1. Every person and corporation shall destroy, upon all lands which he or they shall own, occupy or control, all weeds known as the Canada thistle (circium arvense), burdock (lappa officinalis), white or ox-eye daisy (leucanthemum vulgare), snapdragon or toad flax (linaria vulgaris),

cockle burr (zanthium strumarium), sow thistle (souchus arvensis), sour dock and yellow dock (rumex crispus), mustard (sinapis arvensis), wild parsnip (thapsium barbinode), sweet clover (mellilotus alba or mellitotus vulgaris), and Russian thistle (salsola kali), and at such time and in such manner as shall effectually prevent them from bearing seed. In like manner shall he or they destroy any of the above mentioned weeds standing or growing as far as the center of the highways, lanes or alleys, adjoining the lands owned or controlled by him or them.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 263, A.] [Published April 11, 1895.

CHAPTER 155.

AN ACT to amend section 872, of the annotated statutes of Wisconsin, relating to village elections.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 872, annotated statutes, is hereby amended so as to read as follows: Section 872. Every election shall be held at a place to be designated by the village board, and the polls shall be open at ten o'clock in the forenoon, and kept open until four o'clock in the afternoon, when they shall be closed; provided, that the village board may, by resolution adopted, and either published in some newspaper published in the village, or by posting in five public places, at least ten days before election, fix an hour, not earlier than seven o'clock in the forenoon, for the opening of the

Village elections—manner of conducting the same

polls, and an hour not later than six o'clock in the afternoon for the closing of the polls; but the inspectors may close the polls one hour at noon, giving notice thereof. The inspectors of election shall be any three trustees, or if there be not three present and consenting to act at the opening of the polls, the electors present may choose from among themselves such number to fill vacancies as will complete a board of three. The president of the village, if present, shall be chairman of the board of inspectors. In his absence, the board shall designate one of their number to act as chairman. The village clerk shall be clerk of election, but in his absence the board may appoint another person clerk of election. Each inspector and clerk shall take the oath or affirmation, required of inspectors and clerks of general elections.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 194, A.] [Published April 11, 1895.

CHAPTER 156.

AN ACT to appropriate to Lizzie Seymour one thousand dollars.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$1,000 to Lizzie Seymour.

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of one thousand dollars to Lizzie Seymour.

Release of all demands to be filed.

SECTION 2. The said sum of one thousand dollars shall be paid to the said Lizzie Seymour by the state treasurer upon the execution and

delivery to him of a receipt therefor, containing a release of all demands against the state or any of its officers or employes, by reason of the injuries sustained by the said Lizzie Seymour at the state school for dependent and neglected children on the fifth day of December, 1892.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 129, S.] [Published April 11, 1895.

CHAPTER 157.

AN ACT for the preservation of fish in Beaver creek, in Jackson county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. No person or persons shall be allowed to fish for, take, catch or kill with any device whatever any fish in the stream known as the north branch of Beaver creek, or in its tribuaries, in the town of Franklin, in the county of Jackson, in this state, for the period of two years from the fifteenth day of April, 1895; nor shall any person or persons sell, or offer for sale, or buy, or have in their possession, any such fish caught or taken from such stream or its tributaries for such period of two years. Close time in Beaver creek for catching fish.

SECTION 2. Any person who shall violate any of the provisions of this act, shall, on conviction thereof, be deemed guilty of a misdemeanor and be fined not less than five nor more than twenty-five dollars, with the costs of prosecution. Penalty for violating.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 381, S.] [Published April 11, 1895.

CHAPTER 158.

AN ACT relating to the collection of taxes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

City paying rental for water supply, may retain certain taxes.

SECTION 1. Any city in this state paying rental for a water supply to any person, company or corporation owning or furnishing the same, may retain all taxes assessed and levied against any such person, company or corporation and due and collectible by said city out of any of such rentals.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 130, S.] [Published April 11, 1895.

CHAPTER 159.

AN ACT for the preservation of fish in Wilson and Mill creeks, in Jackson county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Close term for fishing in Wilson and Mill Creeks.

SECTION 1. No person or persons shall be allowed to fish for, take or catch or kill, with any device whatever, any fish in the streams known as Wilson valley creek and Mill creek, or their tributaries, in the town of Melrose in the county of Jackson, in this state, for a period of two years from the fifteenth day of April, 1895, nor shall any person or persons sell or offer to

sell, or buy or have in their possession, any such fish caught or taken from such stream or its tributaries, for such period of two years.

Penalty for violation.

SECTION 2. Any person who shall violate any of the provisions of this act, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined not less than five or more than ten dollars with cost of prosecution.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 468, A] [Published April 20, 1895.

CHAPTER 160.

AN ACT to amend chapter 263, of the laws of 1891, as amended by chapter 425, of the laws of 1891, and pertaining to the incorporation of trust, annuity, guaranty, safe deposit and security companies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Trust, annuity, guaranty, safe deposit, deposit and security companies may receive and hold property and act as executors, etc.

SECTION 1. Section 6, of chapter 263 of the laws of 1891, as amended by chapter 425, of the laws of 1891, is hereby further amended so that as amended it shall read as follows: Section 6. Any corporation organized under this act shall have power in and by its corporate name to take, receive and hold and re-pay, re-convey and dispose of any effects and property, both real and personal, which may be granted, committed, transferred or conveyed to it, with its consent upon any terms, or upon any trust or trusts, at any time or times, by any person or persons, including married women and minors,

body or bodies corporate, or by any court, including the federal courts; and when any money or other property is so intrusted to such corporation by or in the name of any minor or married woman, the same may be held in the same manner, and the receipt of such minor or married woman shall have the same effect as provided in and by section 2020, of the revised statutes of Wisconsin; and to administer, fulfill and discharge the duties of such trust or trusts for such remuneration as may be agreed on; and any such corporation shall have power to act generally as agent or attorney for the transaction of business, the management of estates, the collection of rents, interest, dividends, mortgages, bonds, bills, notes and securities for moneys; and also to act as agent for the purpose of issuing, negotiating, registering, transferring or countersigning the certificates of stock, bonds or other obligations of any corporation, association or municipality, and to manage any sinking fund therefor, on such terms as may be agreed upon. And any company organized under the provisions of this act shall have power to accept and to execute the offices of executor, administrator, trustee, receiver or assignee, or guardian of any minor or insane or incompetent person, lunatic or any person subject to guardianship; and in all cases when application shall be made to any court in this state for the appointment of any trustee, receiver, guardian or administrator, or guardian of any minor, incompetent person, insane person, lunatic or any other person subject to guardianship it shall be lawful for any such court to appoint such company, with its consent, to hold such office or offices; and the accounts of said company as such trustee, receiver, assignee, executor, administrator or guardian, shall be regularly settled and adjusted by the proper officers or tribunals; and all proper, legal, usual and customary charges, costs and expenses shall be allowed to such company, for the care and management of the estate so committed to it. In case of such appointment by any court, or in case such com-

pany shall be named as an executor in any will or as assignee in any assignment for the benefit of creditors, such company shall not be required to make and file any oath, or give any bond or security, except in the discretion of the court making such appointment or having jurisdiction of such will or assignment, other than as provided in this act for deposit with the state treasurer. Such corporation shall have the power to loan money upon real estate and collateral security, and execute and issue its notes and debentures, payable at a future date, and to pledge its mortgages on real estate and other securities as security therefor. But nothing herein contained shall be construed as giving the right to issue bills to circulate as money, or buy or sell bank exchange or do a banking business. And any such company shall have power to take and receive from any individual or corporation, on deposit for safe keeping and storage, gold and silver plate, jewelry, money, stocks, securities and other valuables or personal property, and to rent out the use of safes or other receptacles upon its premises, upon such terms and for such compensation as may be agreed upon; and also to become sureties for administrators, guardians or other trustees or persons in cases where, by law or otherwise, one or more sureties are required. Such corporation shall have a lien on any gold or silver plate, jewelry, money, stocks, securities and other valuables and personal property taken or received on deposit by it for safe keeping, as provided in this act; and in case such lien shall not be paid within two years from the date such lien shall accrue, or in case any property so taken or received by it shall not be called for by the person or persons depositing the same, or his or their legal representatives or assigns, within two years from the date of the accruing of any lien upon the same, then such corporation may sell such property at public auction, upon like notices as is required by law for sales on execution, and after retaining from the proceeds of such sale all the liens and charges due and owing at the time of such sale, and the rea-

Power to loan money.

Corporation shall have a lien on persona property.

sonable expenses of the same, shall pay the balance thereof to the person or persons so depositing such property, or his or their legal representatives or assigns. Nothing in this act shall be held or construed to give to minors or married women any other or different power or right from what they now have as to transferring or disposing of any of their property or effects, either personal or real.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 274, S.] [Published April 11, 1895.

CHAPTER 161.

AN ACT to amend section 3158, of the revised statutes of Wisconsin, relating to references on foreclosures of mortgages.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Foreclosure of mortgages, law amended.

SECTION 1. Section 3158, of the revised statutes of Wisconsin, is hereby amended by inserting the words "or a judge thereof" after the word "judgment" and before the word "shall" in the fourth line thereof, so that said section when so amended shall read as follows: Section 3158. If in the cases mentioned in the last preceding section the defendants shall not before judgment bring into court the amount so due with costs, the court before rendering judgment, or a judge thereof, shall direct a reference to some proper person to ascertain and report the situation of the mortgaged premises, and whether they can be sold in parcels without injury to the interests of the parties; and if it shall appear that they can be so sold,

the judgment shall direct a sale in parcels specifying them, or so much thereof as will be sufficient to pay the amount then due for principal, interest and costs; and such judgment shall remain as security for any subsequent default.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 250, S.] [Published April 11, 1895.

CHAPTER 162.

AN ACT in relation to claims against counties and amendatory of section 686, of the revised statutes of 1878.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to the payment of claims allowed by the county board.

SECTION 1. Section 686, of the revised statutes, is hereby amended so as to read as follows: Section 686. When any claim shall be allowed by any county board, either in whole or in part, said board shall direct orders to be drawn upon the county treasurer in favor of the claimant for the amount so allowed; but no order or orders, except for per diem and mileage of the members of the county board, however, shall be signed or issued upon any claim or part of a claim so allowed within five days after the date of such allowance; and any person whose claim has been allowed in part may receive the county orders issued for the part so allowed without prejudice to his right to appeal as to the part disallowed. But no county board shall issue a greater amount of county orders than the amount of the county taxes levied in such county for such year; and no

interest shall ever be paid by any county on any county orders.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 238, S.] [Published April 11, 1895.

CHAPTER 163.

AN ACT to amend section 1987, of the revised statutes, relating to fire and police relief associations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Policemen relief associations.

SECTION 1. Section 1987, of Sanborn and Berryman's annotated statutes is hereby amended by inserting after the word "fire" in the second line of said section the words "or police," and by inserting after the words "of the city of ——," in the fourth line of said section, the words "or the policemen relief association of the city of ——, as the case may be," and by striking out after the words "relief to," in said fourth line of said section 1987, the words "its sick and disabled members and their families," and inserting in lieu thereof the words "the sick and disabled members of such associations, and their families, and to the persons dependent upon the deceased members, and no others," and by inserting after the word "fire" in the sixth line of said section 1987, the words "or police," and by inserting after the word "member" in the seventh line of said section 1987, the words "after five years of service," and by inserting after the word "dues" in the ninth line of said section 1987, the words "un-

less the connection of such person with either of said departments was discontinued for the good of the service. Each person on becoming a member of either of said departments may be required to pay an initiation fee not exceeding fifty dollars, and annual dues, as long as he remains a member," so that said section 1987 when amended shall read as follows: Section 1987. The members of the paid fire or police departments in any city, now or hereafter organized, are constituted a body corporate in such city under the name of "The Firemen Relief Association of the city of ——," or "The Policemen Relief Association of the city of ——," as the case may be, for the purpose of giving relief to the sick and disabled members of such associations and their families and to the persons dependent upon the deceased members, and no others. In case any member of such association shall cease to act with the fire or police department of which he has been a member, after five years of service, he shall continue to enjoy all the advantages and benefits of the association, as long as he complies with the rules, regulations and by-laws of the same and pays his dues, unless the connection of such person with either of said departments, was discontinued for the good of the service. Each person on becoming a member of either of said departments, may be required to pay an initiation fee not exceeding fifty dollars and annual dues as long as he remains a member. Every such association shall have all the usual powers of a corporation, necessary and proper for the purposes of its organization, and may take by gift, grant, purchase or otherwise, real and personal estate, and hold, enjoy, lease, convey and dispose of the same, subject to the by-laws and regulations of such corporation, and all of such property and the rents, issues and profits thereof, shall be devoted solely to the purposes and objects of such corporation.

Firemen relief associations.

Membership fee, association to have all necessary powers.

SECTION 2. All acts or parts of acts conflicting with the provisions of this act are hereby

repealed, so far as they conflict with this act, and no further.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 209, S.] [Published April 11, 1895.

CHAPTER 164.

AN ACT relating to special administrators, and amendatory of section 3812, of chapter 163, of the revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Administrators' expenses, lawful charges.

SECTION 1. Section 3812, of the revised statutes is amended by adding thereto the following: He shall be allowed all necessary expenses in the care and management of the estate, and for his services one dollar per day, and such further compensation as the county court shall judge reasonable; so that said section as amended shall read as follows: Section 3812. Every special administrator shall, before entering upon the duties of his trust, give a bond to the judge of the county court, as he shall direct, with a condition that he will make and file with the court a true inventory of all the goods, chattels, rights, credits and effects of the deceased, which shall come to his possession or knowledge, and that he will truly account for all of the same which shall be received by him, whenever required by the county court, and will deliver the same to the person who shall afterward be appointed executor or administrator of the deceased, or to such person as shall be legally authorized to receive the

same. He shall be allowed all necessary expenses in the care and management of the estate, and for his services one dollar per day, and such further compensation as the county court shall judge reasonable.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 208, S.] [Published April 11, 1895.

CHAPTER 165.

AN ACT to amend section 3788, of the revised statutes, relating to probate of wills.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How probate may be granted.

SECTION 1. Section 3788, of the revised statutes of Wisconsin, is hereby amended so as to read as follows: Section 3788. If no person appear to contest the probate of a will at the time fixed for that purpose, the court may, in its discretion, grant probate thereof on the testimony of one of the subscribing witnesses only, if such witness shall testify that such will was executed in all particulars as required by the statutes of this state and that the testator was of a sound mind at the time of the execution thereof. If none of the subscribing witnesses shall reside in this state at the time fixed for proving the will, or if any one or more of the subscribing witnesses shall have gone to parts unknown and the court shall be satisfied that such witness, after due diligence used, cannot be found, the court may, in its discretion, admit the testimony of other witnesses to prove the sanity of the testator, and the execution of the

will, and may admit proof of the handwriting of the testator and of the subscribing witnesses.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 199, S.] [Published April 12, 1895.

CHAPTER 166.

AN ACT to amend sections 3908 and 3910, of chapter 167, of Sanborn and Berryman's annotated statutes of Wisconsin, relating to the conveyance of lands of deceased persons in pursuance of contract.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Conveyance of lands of deceased persons, how effected.

SECTION 1. Section 3908, of Sanborn and Berryman's annotated statutes of Wisconsin, is hereby amended so as to read as follows: Section 3908. On the presentation of a petition by any person claiming to be entitled to such conveyance from any executor or administrator, setting forth the facts upon which such claim is predicated, the county court shall appoint a time and place of hearing such petition, and shall order notices of the pendency thereof, and of the time and place of hearing, to be published in a newspaper as provided in section four thousand and forty-five, at least three successive weeks before the day fixed for such hearing. The last publication shall not be more than twenty days before the day so fixed.

County court to have full hearing of case

SECTION 2. Section 3910, of Sanborn and Berryman's annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 3910. After a full hearing upon such peti-

tion and examination of the facts and circumstances of such claim, if the county court shall be satisfied that the petitioner is entitled to a conveyance of the real estate described in his petition, it shall thereupon make an order or judgment, authorizing and directing the executor or administrator to make and execute a conveyance thereof to such petitioner, and the county court may, in its discretion, direct the reasonable expenses of such application and conveyance to be paid by the executor or administrator out of the estate of such deceased person.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 137, S.] [Published April 11, 1895.

CHAPTER 167.

AN ACT authorizing cities of the first and second class to set aside certain streets therein as boulevards or pleasure ways and to regulate the use of the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Any city within this state of the first or second class as defined by chapter 40a of Sanborn and Berryman's annotated statutes of this state and the acts amendatory thereof, whether operating under said chapter or under special charter is hereby authorized to set aside certain streets therein in the manner hereinafter designated to be known as boulevards or pleasure ways and may regulate the use of the same.

Certain streets may be set aside for boulevards.

How it may be effected legally.

SECTION 2. Any of the cities defined in section 1, of this act, having a board of park commissioners or commissioners of public parks may, by a majority vote of the common council of such city, upon recommendation of said park commissioners or commissioners of public parks designate any street within such city and declare the same to be a boulevard or pleasure way and may provide for the use thereof and designate what character of vehicles may travel thereon; provided, that no such city shall be authorized to prohibit the ordinary use of any or all parts of such boulevard or pleasure way for the purpose of obtaining orders for, and the carrying of supplies or any other necessary things to, or from any place or residence fronting on said boulevard.

Mayor and common council may act.

SECTION 3. Any of the cities designated in section 1, of this act, which have no board of park commissioners or commissioners of public parks may, upon the recommendation of the mayor and a majority of such common council, adopt and prescribe rules and designate and declare certain streets to be boulevards or pleasure ways and regulate the use of the same in the same manner and with the same effect as if such cities had a board of park commissioners or commissioners of public parks.

May prescribe penalties.

SECTION 4. Any such city by its common council may prescribe penalties for the violation of any rule or regulation it may prescribe for the use of any such boulevard or pleasure way.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 389, A.] [Published April 12, 1895.

CHAPTER 168.

AN ACT to prevent the adulteration of milk and other dairy products.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Antiseptics injurious to health prohibited.

SECTION 1. Any person who shall sell or offer for sale, or consign, or have in his possession with intent to sell to any person or persons, any milk, cream, butter, cheese, or other dairy products, or who shall deliver to any creamery or cheese factory, milk or cream to be manufactured into butter or cheese, to which boracic acid, salicylic acid, or compounds containing them, or other antiseptics injurious to health, have been added, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than twenty-five nor more than one hundred dollars for each and every offense.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approval April 9, 1895.

No. 21, S.] [Published April 15, 1895.

CHAPTER 169.

AN ACT to make the register of deeds office of Milwaukee county a salaried office.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Register of deeds office made a salaried office.

SECTION 1. From and after the first Monday in January, 1897, in all counties in this state having by the last census, a population of one hundred and fifty thousand people, or upwards, the register of deeds shall receive, in lieu of all fees, a salary of four thousand dollars per year; the deputy register of deeds, a salary of eighteen hundred dollars per year; the entry or receiving clerk a salary of twelve hundred dollars per year, and the remainder of the clerical force shall be as follows, with the following compensations: There shall be two comparing clerks who shall each receive a salary of fifty dollars per month, and a sufficient number of copyists, not less than five, who shall each receive a salary of forty dollars per month, all of which shall be paid monthly out of the treasury of the county, by the county treasurer. The register of deeds, the deputy register and the entry or receipting clerk, aforesaid, shall be paid quarterly by said county, as other county officers are paid.

Salaries and number of clerks allowed.

Fees to be paid into county treasury quarterly.

SECTION 2. The register of deeds in such county shall, quarterly, pay into the treasury of such county all the fees and emoluments of said office of every kind and nature, and at the same time shall file with the county clerk of said county, to be laid before the board of supervisors thereof, a sworn statement of all fees of said office for said quarter, and a sworn statement of all expenses of said office for said quarter.

SECTION 3. Such register of deeds shall, in addition to the bond required under section 755, of the revised statutes, execute to the county in which he is elected, and deliver to and file with the clerk thereof, a bond in the sum of twenty-five thousand dollars, with two or more sufficient sureties, conditioned for the faithful accounting for and paying over of all money which may come into his hands as such officer, and for the faithful discharge of the duties of his said office, and said bond shall be approved by the county board of supervisors, or a committee thereof.

$25,000 bond to be given by register of deeds.

SECTION 4. The deputy register and entry or receipting clerk aforesaid, and all other employes, shall be appointed by the register of deeds, aforesaid, and the appointment of the deputy register shall be confirmed by the county board of supervisors of such county.

Deputy, etc., to be confirmed.

SECTION 5. This act shall take effect and be in force from and after the first Monday in January, 1897.

Approved April 9, 1895.

No. 408, S.] [Published April 12, 1895.

CHAPTER 170.

AN ACT to provide for the disposition of the state tax collected in civil actions commenced in courts other than the circuit courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. In all cases where a state tax is levied and collected in courts of record other than the circuit court, when the salary of the judge of said court is paid solely by the county

State tax in courts of record.

wherein such court is held, the clerk of such court shall pay over such tax to the county treasurer of such county to create a fund to be applied toward the payment of the salary of such judge.

SECTION 2. All laws inconsistent with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 390, A.] [Published April 11, 1895.

CHAPTER 171.

AN ACT to define the duties of the secretary of state in auditing accounts for traveling expenses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Free transportation cannot be charged for in claims against the state.

SECTION 1. No account for traveling expenses against the state of Wisconsin shall be audited by the secretary of state until there is first attached thereto the affidavit of the claimant that no part of the railroad travel therein charged for has been had upon a free pass or other free transportation of any nature whatever, and that the amount charged therein for such transportation and for all other items not herein enumerated has been actually disbursed. The secretary of state is directed to furnish blank vouchers containing this oath, to all parties traveling upon business for the state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 363, A.] [Published April 12, 1895.

CHAPTER 172.

AN ACT to authorize E. E. Finney, his heirs, associates and assigns to build and maintain a dam across the Black river in town twenty-six north, range two west, in Clark county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build a dam.

SECTION 1. E. E. Finney, his heirs, associates and assigns are hereby authorized to build and maintain a dam across the Black river in Clark county, Wisconsin, on any lands they may own or control in township twenty-six north, range two west. Such dam to be used for hydraulic and manufacturing purposes.

How to be built.

SECTION 2. Such dam shall be constructed and maintained so as not to impede or prevent the running and driving of logs, timber or lumber down said river and shall be provided with a proper fishway.

Authorized to build a bridge.

SECTION 3. The said E. E. Finney, his heirs, associates and assigns, are authorized to build and maintain a bridge upon and across the top of said dam over said river.

Right to take and overflow lands.

SECTION 4. In order to build and maintain said dam and use the same for all purposes herein specified, the said E. E. Finney, his heirs, associates and assigns, shall have the right to take, overflow and use any lands not now owned or controlled by them, and they may acquire title to said lands, and the right to overflow and use the same for such purposes, by any proceedings of condemnation under the power of eminent domain, as provided and set forth in section 1777, of the revised statutes of 1878, and the acts amendatory thereof, and the provisions of said section and the acts amendatory thereof, are hereby made applicable to said dam, and the acquisition of

the title and the right to use any lands for the purpose of building and maintaining said dam in accordance with this act.

Guide booms to be maintained in slack water.

SECTION 5. The said E. E. Finney, his heirs, associates and assigns shall maintain in the slack water occasioned by said dam, guide booms or boom sticks and equipment sufficient to enable logs, timber and lumber to float and run through said slack water and over said dam, and sufficient to keep said logs, timber and lumber in the channel of said river through said slack water.

SECTION 6. The right is hereby reserved by the legislature to amend, alter or repeal this act.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 375, A.] [Published April 12, 1895.

CHAPTER 173.

AN ACT to appropriate to Weirick and Funda a sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$20 appropriated.

SECTION 1. There is hereby appropriated to Weirick and Funda, out of any money in the general fund, not otherwise appropriated, the sum of twenty dollars for money paid into the state treasury for license, "hawkers and peddlers," for which the said Weirick and Funda were not liable.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 429, S.] [Published April 10, 1895.

CHAPTER 174.

AN ACT in relation to the February term of the circuit court for Dodge county for the year 1895, and also in relation to the December term of the circuit court for Waukesha county for the year 1894, and the power of the judge thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The February term of the circuit court for the county of Dodge for the year 1895, is hereby ordered to be and the same is hereby continued to the first day of July next before final adjournment of said court, and said court is hereby authorized and empowered to hear, try and determine all cases, matters, proceedings and motions pending in said court on the sixth day of April, 1895, at any time before said final adjournment; and the clerk of said court is hereby authorized and directed to enter such order of continuance of record. Term of court in Dodge county.

SECTION 2. The December term of the circuit court for the county of Waukesha for the year 1894, is hereby ordered to be and the same is hereby continued to the first Monday of May next before final adjournment of the said court, and said court is hereby authorized and empowered to hear, try, and determine all cases, matters, proceedings and motions pending in said court on the ninth day of April, 1895, at any time before said final adjournment; and the clerk of said court is hereby authorized and directed to enter such order of continuance of record. Term of court in Waukesha county.

SECTION 3. All orders, findings and judgments, ordered to be drawn and entered in the circuit court for the counties of Dodge and Waukesha by the late judge of said circuit All proceedings legalized.

court shall be signed and entered by his successor in office the same as if no vacancy had occurred in the judgeship of said circuit court by the death of the late judge thereof.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 254, A.] [Published April 13, 1895.

CHAPTER 175.

AN ACT to amend chapter 418, laws of 1891, entitled, "An act to regulate mutual, beneficiary and fraternal corporations, societies, orders and associations providing insurance on the assessment plan."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insurance on the assessment plan—amendment to law.

SECTION 1. No fraternal or beneficiary corporation, society, order, or association for the relief of members or beneficiaries, furnishing life or casualty insurance or indemnity upon the mutual or assessment plan, shall hereafter be organized or incorporated in this state, until after a declaration, signed by each of the organizers or incorporators, who shall be residents and citizens of this state, shall have been made in writing and sworn to by them before an officer authorized by law to administer oaths, and filed in the office of the commissioner of insurance, setting forth that at least five hundred persons have made application in writing for membership in such proposed corporation, and in case of a life corporation, have each been examined and recommended as insurable by a reputable physician, and who shall have depos-

ited five dollars each, making two thousand and five hundred dollars, one thousand dollars of which sum shall be pledged for the payment of death losses. And the table rates of assessment or liability of each member or person so pledged for membership, shall be such that one assessment will realize at least one thousand dollars for a single death loss over and above all sums required for expenses, reserves, emergencies or other purposes.

Copies of articles of incorporation, etc. to be filed with the insurance commissioner before commencing business.

SECTION 2. No such corporation, society, order or association shall be permitted to file its articles of incorporation with the secretary of state, or to have the same recorded in the office of the register of deeds of any county of this state, until it shall have deposited with the insurance commissioner of this state copies of its articles of incorporation, by-laws, blank application for, and certificate of membership therein, plan of business and of doing business and of the original agreements and application of the five hundred persons pledged for membership therein. And also satisfactory evidence that the said sum of two thousand and five hundred dollars has been collected and duly pledged and received as required by the terms of this act, and that a single assessment levied upon each and all of the persons or members so pledged, will realize the said sum of one thousand dollars net, and shall have received from said insurance commissioner a certificate reciting that said corporation, society, order, or association has complied with the provisions of this section. Whereupon such society, order or association, may file its articles of incorporation with the secretary of state, and become incorporated under the provisions of chapter 86, of the revised statues as a mutual beneficiary association. A copy of such certificate of incorporation shall be filed with the commissioner of insurance together with a copy of its constitution and by-laws setting forth its plan of organization, and if approved by the commissioner of insurance, he shall issue a certificate, authorizing

said corporation, society, order or association to engage in the business of insurance on the assessment plan as set forth in said articles of incorporation or constitution and by-laws, and the said incorporators or organizers and those who may thereafter become associated with them or their successor shall be lawfully entitled to transact business in accordance with the provisions of this act.

Right to name beneficiary.

SECTION 3. Any member of a society, order or association organized in Wisconsin, shall have the right to name as his beneficiary, any person having an insurable interest in his life or to make his insurance payable to his estate. Any such member shall also have the right to change the beneficiary named in his certificate of membership or policy, without being required to obtain the consent of such beneficiary, by complying with the provisions of the by-laws of the corporation that issued such certificate or policy.

Limit as to age of persons who are insurable.

SECTION 4. No corporation, society, order or association for the purpose of furnishing life insurance on the assessment plan, shall be organized (or licensed to do business) in this state that shall permit persons to become members who are under eighteen years of age or above sixty-one years of age, and every such corporation, society, order or association, except casualty associations or societies, shall accumulate and maintain a reserve or emergency fund of an amount not less than the proceeds of one death or disability assessment or periodical call on all policy or certificate holders thereof, and at least equal to the amount of its maximum certificate or policy, and in case such fund or any portion thereof shall have been used by the corporation for the purpose or purposes for which the same was created or accumulated, and the amount thereof thereby reduced to less than the proceeds of one death or disability assessment or periodical call, the amount of such reduction below the proceeds of one death or disability assessment or periodical call, shall

be made up and restored to said fund within three months thereafter. If such fund is in excess of double the proceeds of such death or disability assessment or periodical call, upon the entire membership, the excess, or any portion thereof, may be used in reduction of assessments or premium calls upon policy or certificate holders; provided, that the provision for reserve or emergency fund shall not apply to any such corporation heretofore licensed or organized in this state, or to any fraternal order or lodge heretofore authorized to do business in this state.

Application for admission to this state to do business therein shall be made by all outside fraternal insurance corporations, to the insurance commissioner, who shall pass on the same.

SECTION 5. No fraternal or beneficiary corporation, society, order, or association furnishing life or casualty insurance or indemnity upon the mutual or assessment plan, organized under the laws of any state or territory of the United States, or of the District of Columbia, or foreign countries; nor any voluntary, fraternal or beneficiary corporation, society, order or association having its principal place of business outside of the state of Wisconsin, shall transact business in this state until it has filed with the commissioner of the insurance department of this state an application for admission, upon a form prescribed by the commissioner of insurance setting forth its membership, claims paid, resources, etc., together with a copy of its articles of incorporation, a copy of its constitution and by-laws, a copy of its application, a copy of its medical examination blank, if one is provided for, a copy of its certificate or policy issued to its members, a certificate from the commissioner of insurance of the state, or other officer thereunto authorized, in which said corporation, society, order or association is incorporated or organized, certifying that the said corporation, society, order or association is authorized to legally transact business in this state; that its business is honestly conducted, and that for a period of two years prior to the date of application for admission, it has paid the face value of its largest certificate or policy

in full, with the collections of an ordinary assessment upon its members. That its by-laws require, and the laws of the state where incorporated, permit the accumulation of a reserve or emergency fund equal in amount to that prescribed by section 4, of this act; provided, also, that the membership of such corporation shall not have diminished during the year of such application for license or during the year next preceding the date of such application for license; provided, that the provision requiring a reserve or emergency fund shall not apply to a corporation which is engaged in the business of accident or casualty insurance, and only pays death losses caused by accident; provided, however, that such corporations shall have accumulated and maintain a fund equal to, and applicable to the payment of the face of the largest certificate or policy in force.

Commissioner of insurance shall investigate the character and standing of all fraternal or beneficiary corporations.

SECTION 6. The commissioner of insurance shall investigate the character and standing of all such fraternal or beneficiary corporations, societies, orders or associations so applying, and if approved by him, and if the conditions of section 4, of this act, have been complied with, he shall notify such corporation, society, order or association of his approval; whereupon such corporation, society, order or association shall appoint in writing the commissioner of insurance or his successor in office to be its true and lawful attorney, upon whom all legal process in any action or proceeding against it may be served, and in such writing shall agree that any legal process against it which is served on said attorney, shall be of the same legal force and validity as if served upon it, and the authority shall continue in force so long as there is any liability against it in this state, in the same manner as other insurance corporations are required by the statutes; provided, however, that no license to do business in this state shall be issued to any such corporation, society, order or association to whose country, state or territory any Wis-

consin corporation, society, order or association on the assessment plan, which complies with the requirements of this act, has been or would be, refused admission to do business in such country, state or territory. The commissioner of insurance shall also refuse his authority to organize and also his license to do business, to any society, order or association whose name or title, he shall deem too similar to one already appropriated, or likely to mislead the public in any respect. These conditions having been complied with, the commissioner of insurance shall issue to each corporation, society, order or association, a license, after which it shall have authority to transact business in this state; and said license shall continue in force until revoked in accordance with the provisions of this act.

Report to be filed with commissioner of insurance annually on blanks to be furnished by said commissioner.

SECTION 7. Every such mutual benefit corporation, society, order or association, that is authorized to do business in Wisconsin, shall, on or before the first day of March of each year, make and file with the commissioner of insurance of this state, a report of its affairs and its operations during the year ending on the thirty-first day of December immediately preceding. Such report shall be upon blank forms to be provided by such commissioner of insurance, and shall be verified under oath by the duly authorized officers of such corporations, societies, orders or associations, and shall be published, or the substance thereof, in his annual report, by such commissioner of insurance, under a separate part, entitled, "mutual benefit societies, orders or associations," and shall contain answers to the following questions:

What the blanks shall contain.

1. Number of certificates issued during the year, or members admitted.
2. Amount of indemnity affected thereby.
3. Number of losses or benefit liabilities.
4. Number of losses or benefit liabilities paid.
5. The amount received from each assessment in each class for the year.
6. Total amount paid members, beneficiaries, legal representatives or heirs.

7. Number and kind of claims for which assessments have been made.

8. Number and kind of claims compromised or resisted, and brief statements of reasons.

9. Does society charge annual or other periodical dues or admission fees?

10. How much on each one thousand dollars annually or per capita, as the case may be?

11. Total amount received, from what source, and disposition thereof.

12. State total amount of salaries paid to officers.

13. Does society guarantee in its certificate, fixed amount to be paid, regardless of amount realized from assessments, dues, admission fees and donations?

14. If so, state amount guaranteed and the security of such guaranty.

15. Has the society a reserve fund?

16. If so, how is it created, and for what purpose, the amount thereof, and how invested?

17. Has the society more than one class?

18. If so, how many, and the amount of indemnity in each?

19. Number of members in each class.

20. If organized under the laws of this state, state under what law and at what time.

21. If organized under the laws of any other state or territory, or of the District of Columbia, or of any foreign country, state such fact and the date of such organization, giving chapter and year and date of passage of the act.

22. Number of certificates of membership in force at beginning and end of year; if more than one class, number of each class.

23. Number of certificates of membership lapsed during the year.

24. Number of certificates of membership in force in this state at the beginning and end of year; if more than one class, number in each class.

25. Number of certificates of membership in this state lapsed during the year.

26. Number of deaths in this state during the year.

27. Number and amount of claims paid in this state during the year; if more than one class, number and amount paid in each class.

28. Have all claims been paid in full? If not, why not?

29. Approximate maximum and average age of membership in each class in the society.

30. Liabilities, assets, contingent liabilities, contingent assets.

Commissioner of insurance authorized to address any additional inquiries necessary.

The commissioner of insurance is authorized and empowered to address any additional inquiries to any of the corporations, societies, orders or associations referred to in this act, and it shall be the duty of the proper officers so addressed to properly reply in writing, under oath, to all such inquiries. All such corporations, societies, orders or associations, together with their books, papers and vouchers, shall be subject to visitation and inspection by the commissioner of insurance or such person or persons as he may at any time designate. Any such corporation, society, order or association refusing or neglecting to make such report shall be excluded from doing business within this state. Said commissioner of insurance must, within thirty days after failure to make such report, or in case any such corporation, society, order or association shall exceed its powers or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this act, revoke the license of such corporation, and no corporation, society, order or association so proceeded against, shall have authority to continue business until such report shall be made or overt acts or violations complained of shall have been corrected, and until the costs of such action be paid by it, whereupon the commissioner of insurance shall reinstate the corporation, society, order or association, and not until then, shall such corporation, society, order or association be allowed to again do business in this state.

Penalty for doing business after enjoined.

SECTION 8. Any officer, agent, person or persons acting for any corporation, society, or-

der or association within this state after such association has been enjoined or prohibited from doing business pursuant to this act, shall be deemed guilty of an offense and on conviction thereof shall be punished by a fine not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than one year, or by both such fine and imprisonment in the discretion of the court.

Penalty for soliciting insurance for prohibited companies.

SECTION 9. Any person who shall, as officer, agent or representative in any capacity whatever, or who shall in any manner solicit, advise, aid, assist or procure, or in any way or manner be instrumental or participate in soliciting, advising, aiding, assisting in securing or inducing any person to become a member of any assessment plan, corporation, society, order or association conducted for mortuary, endowment, sick, accident or permanent disability benefit, or any other kind of plan of assessment insurance not authorized to transact business within this state under the provisions of this act, and the laws of this state, or who shall accept, collect, receive, or be instrumental in the collection or transmission of any admission fees, assessments, dues or payments of any kind whatever, on account of any such insurance or benefit certificate in any such corporation, organization, society, order or association not authorized to transact business within this state, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars, or by imprisonment in the county jail not less than sixty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

Cannot do business while judgment remains unpaid.

SECTION 10. No mutual benefit corporation, society, order or association authorized to do business within this state under the provisions of this act, against which a final judgment shall have been recovered in any court in this state shall, after ninety days from the rendition

of such judgment, and whilst the same remains unpaid, issue any new certificate or policy in this state, and in case any such corporation, society, order or association, or its officers or agents, shall violate the provisions of this section it shall forfeit the sum of one thousand dollars; provided, that in case of an appeal to the supreme court of this state, said ninety days shall not begin to run until after said judgment shall have been affirmed and the decision remitted to the lower court according to law.

Exempt from execution.

SECTION 11. The money or other benefit, charity, relief or aid to be paid, provided or rendered by any corporation, society, order, or association authorized to do business under this act, shall be exempt from execution, and shall not be liable to be seized, taken or appropriated by any legal or equitable process, to pay any debt or liability of a member, beneficiary or beneficiaries of such member.

Penalty for officers making false documentary proof.

SECTION 12. Any officer, member, agent, solicitor or examining physician of any such corporation, society, order or association, or any other person who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for membership, or in or with reference to any documentary or other proof, for the purpose of obtaining membership in, or benefit from any such corporation, society, order or association, for himself or any other person, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than one hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail not less than three months nor more than one year, or both, in the discretion of the court; and any certificate of membership, or policy, so secured shall be absolutely void.

Commissioner of insurance shall examine business of association and issue a certificate.

SECTION 13. The commissioner of insurance shall, at the request of any corporation, society, order or association, doing business under the provisions of this act, make an examination of

such corporation, society, order or association, and shall furnish a certificate of the results of such examination, showing all its assets, how invested, and such other particulars as may be deemed necessary to show the character and condition of such corporation, society, order or association, and the necessary expense of the said examination shall be paid by the corporation, society, order or association requesting the same.

Necessary expenses shall be paid out of general fund for prosecutions.

SECTION 14. All necessary expenses incurred by the attorney-general, and the commissioner of insurance [in] prosecuting violations of this act, or misdemeanors under this act, shall be paid out of the general fund. The said attorney-general, and the commissioner of insurance shall certify to the secretary of state that the expenses incurred were actually necessary in the prosecution of said suits, whereupon it shall be the duty of the secretary of state to draw his warrant upon the state treasury for the same. All fines and forfeitures received under the provisions of this act, shall be paid into the general fund.

Penalty for false swearing.

SECTION 15. Any person who shall falsely make any sworn statement, verified report or declaration, under oath required or authorized by this act, shall, on conviction thereof, be punished by imprisonment not less than one year nor more than three years.

Term "assessment" defined.

SECTION 16. The term or word "assessment," when used in this act, or any other law of the state applicable to any corporation, society, order or association mentioned in this act, is hereby defined and shall be held to mean: That all death losses shall, in the main, be provided for by assessments upon surviving members, or that the amount estimated or required for death losses and benefits shall not be limited to a fixed sum.

Copies of the literature to be filed with insurance commissioner.

SECTION 17. Copies of the literature of each corporation, society, order or association seeking license or doing business in this state, shall be filed with the insurance commissioner, and if such literature is misleading in regard to

the business of such corporation, or is in conflict with any law of this state, it shall not be entitled to a license or permitted to do business in this state.

SECTION 18. Every corporation, society, order or association that does not pay the full face value of all its certificates shall state in its literature, and in soliciting business, how much is paid on each class, size or grade of its certificates of membership. What literature shall state.

SECTION 19. It shall be the duty of the commissioner of insurance to revoke the license of any corporation, society, order or association, organized under the laws of any other state or territory of the United States, or of the District of Columbia, or any foreign country, which fails to comply with the terms of this act. Commissioner of insurance authorized to revoke licenses.

SECTION 20. All licenses or permission to do business heretofore granted, shall expire on the first day of May, 1895, and all licenses hereafter issued shall be in writing, and shall expire on the first day of March succeeding the date of issue. Expiration of licenses.

SECTION 21. Every corporation, society, order or association organized under the laws of any other state or territory of the United States, or of the District of Columbia, or any foreign country, shall pay an annual license fee of twenty-five dollars; provided, that societies and orders that now have a state grand lodge or state council in Wisconsin, shall be exempt from fees for renewal of license. Annual license fee.

SECTION 22. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 23. This act shall take effect and be in force from and after its passage and publication.

Approved April 10, 1895.

No. 67, S.] [Published April 12, 1895.

CHAPTER 176.

AN ACT relating to official papers and publishing of official notices, ordinances and proceedings in cities of the second and third class, whether incorporated under the general or under a special charter, and repealing section 46, of chapter 326, of the laws of 1889, in so far as that section relates to or affects any city having over 10,000 inhabitants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Cities of over 10,000 and less than 50,000 people to advertise for proposals for city advertising.

SECTION 1. The common council of cities of the second and third class and of all cities incorporated under a special charter having a population in excess of ten thousand and less than fifty thousand inhabitants, shall, on or before the second Tuesday in April, A. D. 1895, and on or before the same day in each year thereafter, direct the city clerk of said city to advertise in the official newspaper or newspapers, if there be such, and if not, in any newspaper published in such city, for proposals to do the advertising for said city, in the English language, for the next ensuing year thereafter, and all ordinances, notices and all the city advertising required by law, or resolution or ordinance of the common council to be published in a newspaper, and also for proposals to publish the proceedings of the common council in the English language as may be ordered by the council; such advertisement shall invite separate bids for the advertising required, and for publishing the proceedings of the common council, and shall invite such bids from all daily newspapers, published regularly in said city for at least two consecutive years next prior to the date of the bids, if two or more such daily papers are published in such city; and if there

be no two such daily papers, then from all newspapers published regularly at least once a week in said city for at least two consecutive years next prior to the date of the bids; and shall require the delivery of such proposals in writing duly sealed and directed to said clerk, on or before the first Tuesday of May, of the then current year. No bids for either kind of work shall be considered by said clerk, except from a newspaper which has been published regularly in said city at least two years consecutively next before the date of the bid, and as provided in the preceding sentence of this section; such bond or deposit shall be required with each bid as the common council may direct. The said clerk shall, on the first Tuesday of May in each year, at twelve o'clock at noon in the presence of the mayor or an alderman open all such bids or proposals, and shall thereupon, in the presence of the mayor or an alderman, enter upon a record to be kept by the clerk for that purpose, all said proposals for either kind of work with the respective prices for which such newspaper or newspapers shall offer to do either the advertising or the publication of the proceedings of the common council. And thereupon said clerk shall transmit all such proposals to the common council, at the next meeting thereof held after the opening of such proposals and a statement of all such proposals, designating therein the newspaper or newspapers which shall respectively do such advertising or such publication of proceedings or both of them, at the lowest prices for the year ensuing. The common council shall thereupon at said meeting thereof, by its resolution, designate and award such advertising and such publication of council proceedings to the newspaper or newspapers, published in said city, which shall respectively offer to do such advertising and such publication of proceedings, or either at the lowest price, for the year then ensuing. And if two or more bids shall be received for either the advertising or the publication of the pro-

When bids shall be opened.

ceedings for the same price, then and in such cases such advertising or such publication of the proceedings or both shall be let to that lowest bidding newspaper or lowest bidding newspapers, as the council may select. And whenever the successful bidder for the advertising or for the publication of proceedings as aforesaid, or for both, shall have executed the contract, he or they shall execute and file with the city clerk such bond for the faithful performance of such contract, as the common council may require, and after such contract and bonds shall have been duly approved as aforesaid, such newspaper or newspapers shall thereupon publish all such ordinances, notices, council proceedings and other proceedings as are required by the charter of the city, or by resolution or ordinance of the common council, to be published in a public newspaper, and which such newspapers shall have contracted to publish, for the compensation specified in their proposals and contract, and no lower nor higher, and shall receive no other compensation therefor; provided, however, that said common council shall reject all bids exceeding legal rates for like work, and in case of the rejection of all bids for either advertising or publication of proceedings, for such cause, it shall thereupon be the duty of the said common council to direct said city clerk to re-advertise for proposals for such advertising or publication of proceedings, as the case may be, in the same manner as hereinbefore in this act provided, and the said clerk shall thereafter transmit to said common council the proposals so received by him, in the manner aforesaid. The said common council shall designate the newspaper or newspapers receiving the contract for such advertising as the proper official newspaper or newspapers of the said city.

Charters which conflict modified.

SECTION 2. Any provision of any charter inconsistent herewith is hereby amended, modified or repealed by this act to the extent necessary to give full force and effect to the intent

hereof. Section forty-six of chapter three hundred and twenty-six, of the laws of 1889, is hereby repealed, in so far as it relates to cities of over ten thousand inhabitants.

Not to affect present contracts.

SECTION 3. None of the provisions of this act shall affect any contract for doing the work specified in section one hereof now in existence, but as to any such city in which a contract is in existence, this act shall take effect immediately upon the termination of such contract.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 9, 1895.

No. 9, S.] [Published April 15, 1895.

CHAPTER 177.

AN ACT to submit to the people an amendment to section 1, of article 10, of the constitution of the state of Wisconsin.

Constitutional amendment.

Whereas, At the biennial session of the legislature of this state for the year 1893, an amendment to the constitution of this state was proposed and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language:

"Resolved by the assembly, the senate concurring, That section 1, article 10, of the constitution of the state of Wisconsin be amended by striking out this sentence: 'Provided, that his compensation shall not exceed the sum of twelve hundred dollars annually.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The foregoing proposed amendment to the constitution of the state of Wiscon-

Shall be submitted to a vote of the people in November, 1896.

sin shall be submitted to a vote of the people of this state in the manner now provided by law for the submission of proposed amendments at the next general election in November, 1896.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 232, S.] [Published April 18, 1895.

CHAPTER 178.

AN ACT fixing the terms of the circuit court in the sixth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court in sixth circuit changed.

SECTION 1. The terms of the circuit court for the several counties of the sixth judicial circuit, shall be as follows: For the county of La Crosse, the second Tuesday in January, the first Tuesday in May and the second Tuesday in September. For the county of Monroe, the third Tuesday in March and the first Tuesday in October. For the county of Juneau, the second Tuesday in April and the third Tuesday in November. For the county of Trempealeau, the first Tuesday in March and the third Tuesday in October. For the county of Vernon, the second Tuesday in June and the second Tuesday in December. Every general term of said court in each of said counties shall be a special term for the whole judicial circuit.

SECTION 2. Section 2, of chapter 2, of the laws of 1893, and chapter 137, of the laws of 1893, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July first, 1895.

Approved April 11, 1895.

No. 243, S.] [Published April 15, 1895.

CHAPTER 179.

AN ACT authorizing the State Historical Society to sell and convey certain real estate.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to sell property on West Washington Ave., Madison Wis.

SECTION 1. Section 1, of chapter 54, of the laws of 1893, is hereby amended by striking out the words "go to said society's binding fund," at the close of said section, and substituting therefor the words "be devoted to such purposes as the executive committee of said society may elect," so that said section shall read as follows: "Section 1. The State Historical Society of Wisconsin is hereby authorized to sell and convey certain real estate on West Washington avenue, city of Madison, known as 'the Draper homestead,' being lot number four, block number fifty-one, according to the recorded plat of said city, and the buildings thereon. The proceeds from such sale shall be devoted to such purposes as the executive committee of said society may elect."

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 368, S.] [Published April 18, 1895.

CHAPTER 180.

AN ACT to amend chapter 187, laws of Wisconsin for the year 1885, relating to bridges, as amended by chapter 508, of the laws of Wisconsin for the year 1889.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

City or village authorized to vote aid for bridges.

SECTION 1. Chapter 187, laws of Wisconsin for the year 1885, relating to bridges, as amended by chapter 508, of the laws of Wisconsin for the year 1889, is hereby further amended by adding thereto the following: Provided further, that any city or village next adjoining any such town may at any annual or special election called for that purpose, vote to aid said town in the repair or construction of such bridge or bridges.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 235, S.] [Published April 13, 1895.

CHAPTER 181.

AN ACT to amend sections 2, 4, 43 and 55, of chapter 292, of the laws of 1893, relating to the Wisconsin National Guard.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2, of chapter 292, of the laws of 1893, is hereby amended by striking

out the word "and" in the fourth line thereof and by inserting after the word "department" in the fifth line the following: "An adjutant general's department, a quartermaster general's department and such other officers as may from time to time, be required;" so that said section, when so amended, shall read as follows: Section 2. The Wisconsin National Guard shall, after the year 1893, consist of not more than forty companies of infantry, one battery of artillery, one troop of cavalry, a medical department, an adjutant general's department, a quartermaster general's department and such other officers as may, from time to time, be required. The infantry shall be organized into regiments consisting of not more than twelve nor less than eight companies each; and each regiment divided into battalions not to exceed four nor less than three companies each; provided, no regiment shall be divided into more than three battalions and each regiment may have one band. The entire force may, at the discretion of the governor, be organized into a brigade.

Component parts of the national guard named and of what it shall consist.

SECTION 2. Section 4, of chapter 292, of the laws of 1893, is hereby amended by adding at the end thereof the following: "The battalion staff shall consist of one battalion adjutant with the rank of first lieutenant mounted, who shall be appointed by the battalion commander, subject to the approval of the colonel and on commission of the governor, and the battalion sergeant major, who shall be appointed by the battalion commander from the enlisted men of his command."

Battalion staff, of what it shall consist.

SECTION 3. Section 43, of said chapter 292, of the laws of 1893, is hereby amended by striking out of the second and third lines thereof the words "between the months of March and October inclusive and," and by striking out all after the words "the inspecting officer" in the fourteenth line of said section 43, and inserting in lieu thereof the following: "shall receive a compensation of six hundred dollars per annum, said compensation to be in full for

Compensation of inspection officer.

all expenses incurred by him in making the inspections required by law, and said six hundred dollars to be paid out of the state treasury on the order of the governor and the proper certificate of the adjutant general," so that said section 43, when so amended, shall read as follows: Section 43. At least once in each year, and upon not less than three days' notification to the commanding officer, an inspection shall be made of each company of the national guard by some officer appointed by the governor for such purpose. Such inspection shall be held in the same manner and form prescribed for troops in the service of the United States. The inspecting officer shall be furnished with the last muster roll, and ordinance and property return of such company, and shall report to the governor in writing on a form provided for that purpose. The inspecting officer shall receive a compensation of six hundred dollars per annum, said compensation to be in full for all expenses incurred by him in making the inspections required by law; and said six hundred dollars to be paid out of the state treasury on the order of the governor and proper certificate of the adjutant general.

Duties of inspection officer defined.

When governor may order out the militia.

SECTION 4. Section 55, of chapter 292, laws of 1893, is hereby amended by inserting after the words "United States" in the third line of said section, the following: "or in the event of public disaster, resulting from flood, conflagration or tornado," so that said section when so amended shall read as follows: Section 55. In case of war, insurrection, rebellion, riot or invasion, or of resistance to the execution of the laws of the state, or of the United States; or in the event of public disaster, resulting from flood, conflagration or tornado; or upon application of any marshal of the United States; or of any mayor of a city, or of a sheriff; the governor may order into active service all or any portion of the national guard.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 644, A.] [Published April 15, 1895.

CHAPTER 182.

AN ACT in relation to municipal ownership or control of waterworks and lighting works.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

When city may purchase waterworks and lighting works.

SECTION 1. Any city, when authorized so to do, by ordinance adopted by a vote in favor of the same, of a majority of all the members elect of its common council, after the same has been submitted to a vote of the people and a majority have voted in favor of such purchase or lease, may purchase or lease the waterworks or lighting works, or both, owned by any corporation in such city and having a contract with such city for public service, or purchase or lease the interest of such corporation in such works, or obtain the control of such works by purchasing the stock of such corporation and keeping up its organization, and in any such case such council, by majority vote, may provide for the payment for such purchase by the issuance of bonds or otherwise in such manner as the common council of such city may deem for its best interests, not contravening, however, the provisions of the constitution in respect to municipal indebtedness; and in such case such city shall provide, by appropriate ordinances for a non-partisan management of such works, and to that end, may create a board of commissioners, to be non-partisan and elected by the common council, fix the term of office of the members thereof, and invest such board with appropriate powers; provided, the authority hereby granted shall extend only to the purchase or lease of waterworks or lighting works already erected and established and in operation and only to cities in which there exists one such system for such purpose or purposes.

SECTION 2. All acts and parts of acts so far as they conflict with the provisions of this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 134, A.] [Published April 15, 1895.

CHAPTER 183.

AN ACT to authorize cities to pay the mayor a salary.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Certain cities authorized to pay their mayors salaries.

SECTION 1. Section 16, of chapter 312, of the laws of 1893, is hereby amended so as to read as follows: Section 16. The common council shall by ordinance provide such salary, or compensation, for the officers and employes of the city as it shall deem proper; provided, that in cities of the second, third and fourth class no salary shall be paid to the mayor or members of the common council except when ordered by a vote of three-fourths of the members-elect of such common council. It shall at the first regular meeting in February, fix the amount of salary which shall be received by every city officer entitled to a salary, who may be elected or appointed in the city during the ensuing year, which shall not be increased or diminished during the term of office for which such officer shall be elected or appointed; the salary shall be paid out of the city treasury monthly, at the end of each month. All salaries, the amounts whereof have been heretofore fixed by the common council, or heretofore established by law,

shall be and remain the salaries of such officers until the common council shall otherwise provide; provided, however, that where any new city shall have been incorporated and officers thereof elected or appointed, the common council shall have power at any regular meeting of such common council, during the term of office of such officer, so elected or appointed, to declare and fix the amount of compensation that such officer shall receive.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 205, A.] [Published April 15, 1895.

CHAPTER 184.

AN ACT to amend subdivision 1, of section 2, of chapter 268, laws of 1891, entitled, "An act to enable religious and church corporations to form fire insurance companies for the purpose of insuring church property."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Religious and church organizations authorized to form fire insurance companies.

SECTION 1. Subdivision 1, of section 2, of chapter 268, of the laws of 1891, is hereby amended by inserting therein after the word "state" in the second line of said subdivision the words "and elsewhere," and after the word "loss" in the fourth line of said subdivision the words "or damage," and after the word "lightning" in the fourth line of said subdivision the words "or other casualties," and by striking out the word "and" in the fourth line of said subdivision, so that said subdivision, when so amended, shall read as follows: Subdivision 1.

To make contracts of insurance in this state and elsewhere, with any church board of trustees, or official board of any religious denomination, against loss or damage by fire, lightning or other casualties, on any property, real or personal, held by said church or the official representatives thereof, for said church, or held or owned by its pastor or minister, for his use as such pastor or minister, for such premium or consideration, and under such regulations or restrictions, as such corporation may provide by its by-laws; provided, that no single risk shall exceed the maximum of two thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 67, A.] [Published April 15, 1895.

CHAPTER 185.

AN ACT to amend section 3976, revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to the commitment of insane persons to an asylum, law amended.

SECTION 1. Section 3976, revised statutes, is hereby amended by inserting after the word "insane," where it occurs in the tenth line of said section, the words "or any county asylum for insane in this state;" and inserting after the word "hospital" where it occurs in the eleventh line of said section, the words "or asylum;" so that said section when amended will read as follows: "Whenever it shall be represented to the county court by the verified petition of any

relative or friend of any insane person, or any person who by reason of extreme old age or other cause, is mentally incompetent to have the charge and management of his property, that such person is insane or mentally incompetent, said court shall cause a notice to be given to the supposed insane or incompetent person, of the time and place of hearing the case, not less than twenty days before the time so appointed, and shall also cause such person, if able to attend, to be produced before him on the hearing; but whenever any such insane person shall be confined in either of the Wisconsin state hospitals for the insane, or any county asylum for insane in this state, such notice may be served upon the superintendent of such hospital or asylum, and such service shall be deemed sufficient in law; and if in the opinion of such superintendent it shall not be proper to remove such insane person, he shall certify that fact to the court, and it shall be deemed a sufficient cause for not producing such insane person on the hearing."

SECTION 2. All acts or parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 205, S.] [Published April 15, 1895.

CHAPTER 186.

AN ACT to amend section 3981, of the revised statutes, relating to bond of guardian to insane or incompetent persons.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to bond of guardian to insane persons.

SECTION 1. Section 3981, of the revised statutes is hereby amended by striking out the words "his ward" when they occur in the seventh line of said section, and inserting in place thereof the words "the judge of the county court," so that said section when so amended shall read as follows: Section 3981. When a guardian shall be appointed for an insane or incompetent person or spendthrift, or for any non-resident, the court shall make an allowance to be paid by the guardian out of the estate of his ward, for all reasonable expenses incurred by the ward, in defending himself against the petition. Every such guardian shall have the care and custody of the person of the ward and the management of his estate until legally discharged therefrom; and he shall give bond to the judge of the county court in like manner and with like condition as before prescribed with respect to the guardian of a minor, excepting that the provisions of the bond of a guardian of a non-resident respecting the inventory, the disposal of the estate and effects and the account to be rendered, shall be confined to such estate and effects, as shall come to his hands in this state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 50, A.] [Published April 15, 1895.

CHAPTER 187.

AN ACT to provide for the employment of stenographers and copyists by the justices of the supreme court.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Supreme judges authorized to employ stenographers and copyists.

SECTION 1. Section 2400, of Sanborn and Berryman's statutes of Wisconsin, is hereby amended by striking out all of said section and inserting in lieu thereof the following: Section 2400. Each of the justices of the supreme court may appoint a stenographer and copyist, to render such assistance to such justice, in the performance of his duty, as may be required. Each justice may remove the person so appointed by him at pleasure, and may appoint another in the place of the one so removed. The justice making such appointment shall certify the same to the secretary of state, with the date of the commencement of such service, and shall also notify the secretary of state of the termination of such term of service. The compensation of each such appointee shall be forty-five dollars per month. Such justices shall also have the power to appoint a messenger for said court as is now provided for by law, at a compensation of seventy-five dollars per month. The chief justice or one of the said justices shall certify the appointment of such messenger to the secretary of state, with the date of the commencement of such service, and shall also notify him of the termination of such service. The claims of such stenographers, copyists and messengers shall be audited by the secretary of state and paid by the state treasurer out of any money in the state treasury not otherwise appropriated; provided, however, that the governor may appoint a messenger for the state li-

May appoint a messenger.

How paid and amount.

brary who shall receive for his services a compensation of seventy-five dollars per month. He may also appoint one or more janitors when necessary, for service in and about the library rooms, pertaining to the supreme court and fix his or their compensation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 256, A.] [Published April 15, 1895.

CHAPTER 188.

AN ACT amendatory of section 5, of chapter 339, laws of 1889, as amended by section 1, of chapter 250, laws of 1891, being an act entitled, "An act to provide for the relief of indigent and needy union soldiers," etc.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

To provide for the relief of indigent and needy union soldiers, amended.

SECTION 1. Section 1, of chapter 250, laws of 1891, is hereby amended by inserting after the word "dollars" in the twenty-eight line of said section, the words "or the population exceed thirty thousand persons," so that said section when so amended shall read as follows: Section 5. The county board of supervisors shall allow the persons composing the commission the same compensation allowed members of the county board for regular meetings of said commission, and their actual expenses incurred in the performance of their other duties, as defined in this act, on presentation of an itemized statement of the same; provided, however, that there shall not be to exceed four such meetings in any one year. Provided, further, that in all

counties where the tax levied in pursuance of section 1, of this act, shall exceed the sum of ten thousand dollars, or the population exceed thirty thousand persons, the county board of supervisors may fix a salary to be paid to the secretary of the soldier's relief commission not exceeding the sum of five hundred dollars per annum, to be paid quarterly out of the county treasury of said county and such salary so fixed shall be in full for all services rendered by said secretary, and in lieu of all fees except disbursements for stationery and postage.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 413, A.] [Published April 17, 1895.

CHAPTER 189.

AN ACT legalizing the acts of certain town officers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regarding the issue of bonds for railroad purposes.

SECTION 1. When any town in which is situated an incorporated village has heretofore joined with such village and the freeholders therein in petitioning for and issuing bonds in aid of any railroad which has been constructed and operated as required, and such bonds have been issued and delivered and in other respect become valid and binding, the fact that such petition has been signed by the freeholders of the town, as well as those of the village, and the further fact that such bonds have been signed and issued by officers residing in the village or the town or officers, a part of whom re-

side in the town and a part in the village, shall not be held to invalidate or annul such bonds, and the acts of such freeholders and officers in petitioning for issuing and delivering such bonds, are hereby legalized.

SECTION 2. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 473, A.] [Published April 17, 1895.

CHAPTER 190.

AN ACT to establish a ferry across the Mississippi river between the town of Campbell, state of Wisconsin, and the town of Dresbach, state of Minnesota

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Messrs. Clark, Dorn and Pedish authorized to run a ferry.

SECTION 1. C. C. Clark, Albert Dorn and Michael Pedish, their heirs, associates and assigns, are hereby granted the exclusive right to keep and maintain, for ten years from the first day of March, 1895, a ferry across the Mississippi river between section fourteen, township sixteen north, of range eight west, in the town of Campbell, county of La Crosse, Wisconsin, and section twenty-eight, township one hundred and five, range four west, in the town of Dresbach, county of Winona, and state of Minnesota, and for one mile on either side of the landings of such ferry.

Required to furnish good and sufficient means for ferriage.

SECTION 2. Said C. C. Clark, Albert Dorn and Michael Pedish, their heirs, associates and assigns, shall, at all reasonable hours, provide

good and sufficient means for the ferriage of passengers, teams and merchandise, except when it shall be dangerous or impracticable, from the state of the weather on said river to do so.

SECTION 3. Said C. C. Clark, Albert Dorn and Michael Pedish, their heirs, associates and assigns, shall be entitled to demand and receive payment for ferriage each way on said ferry, at such rates as may, from time to time, be fixed by the county board of supervisors of La Crosse county aforesaid; and execute and file with the county clerk of said county a good and sufficient bond, in such sum as said board may demand or fix, conditioned that they will keep and maintain said ferry in accordance with this act, and will charge only such rates as may be fixed by said board. The legislature, however, reserves the right to alter, amend or repeal this act at any time. Fees that may be demanded for ferriage.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 248, A.] [Published April 16, 1895.

CHAPTER 191.

AN ACT to repeal section 3, of chapter 357, laws of 1891, relating to additional jurisdiction on the county court in Portage county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 3, of chapter 357, laws of 1891, is hereby repealed. Repealed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 156, A.] [Published April 18, 1895.

CHAPTER 192.

AN ACT to appropriate a sum of money therein mentioned to James Allen.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to James Allen for lands illegally sold by the state.

SECTION 1. There is hereby appropriated to James Allen out of any money in the treasury not otherwise appropriated, the sum of seventy-eight dollars and twenty-three cents, the same being the amount paid by him to the state treasurer, September 2, 1887, as the purchase price for the east half of the northeast quarter of section twenty-nine in township eighteen north, of range twenty-one east. The state having no title to said lands, the same having been sold by the state to one John Mueller, February 5, 1870. The purpose of this act is to refund to said James Allen the money paid into the treasury aforesaid; provided, that said money shall not be paid to James Allen except upon a receipt for the same signed by James Allen and Jacob A. Williams, and that the money so paid shall be paid out of the drainage fund.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 704, A.] [Published April 17, 1895.

CHAPTER 193.

AN ACT to apportion the indebtedness to become due the state of Wisconsin, from the board of school directors of the town of Pelican, in Oneida county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Town of Pelican borrowed money from the state.

Whereas, The board of school directors of the town of Pelican, has heretofore borrowed certain sums of money from the trust funds of the state, all of which loan has not been paid; and

City of Rhinelander incorporated afterwards.

Whereas, The city of Rhinelander became incorporated during the year 1894, and was created out of territory, which prior to its incorporation, formed a part of the said town of Pelican; and

City and town have made a settlement.

Whereas, The board of school directors of the town of Pelican and the city of Rhinelander have made a settlement and adjustment of matters arising out of the incorporation of said city, and it was mutually agreed by and between said municipal bodies, that the said city of Rhinelander should pay sixty-five and one-half per centum of the amount of the said indebtedness due or to become due the state of Wisconsin, and the board of school directors of the town of Pelican should pay thirty-four and one-half per centum of said indebtedness.

How secretary of state shall certify indebtedness hereafter.

SECTION 1. It shall be the duty of the secretary of state to certify hereafter to the county clerk of Oneida county the amount of any instalment of principal or interest hereafter to become due on account of moneys heretofore borrowed by the board of school directors of the town of Pelican from the trust funds of the state of Wisconsin in the following manner: Sixty-five and one-half per centum thereof shall be certified as an indebtedness of the

city of Rhinelander, and shall be collected by the levy of a tax on the taxable property of said city in the same manner as if the loan had been made to said city. The remaining thirty-four and one-half per centum shall be certified as an indebtedness of the town of Pelican, and shall be paid by the levy of a tax on the taxable property of said town of Pelican.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 320, A.] [Published April 15, 1895.

CHAPTER 194.

AN ACT to amend the charter of the Wisconsin River Improvement Company.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Charter amended.

SECTION 1. The Wisconsin River Improvement Company, incorporated by an act approved February 19, 1853, is hereby authorized to improve the navigation of the Wisconsin river in the manner provided for in said act, or in such other manner as it may deem expedient or advisable from Stevens Point, Portage county, to the head waters of the Wisconsin river, including such portion of Lake Vieaux Desert as lies within the boundaries of the state of Wisconsin; provided, however, that the legislature of the state of Wisconsin shall at any time have the right and the same is hereby reserved to it, to alter, modify or repeal any or all provisions of this act without any liability attachment to said state by reason of any such modification, alteration or repeal.

SECTION 2. The office of the Wisconsin River Improvement Company shall be located at the city of Merrill, and the next annual meeting of the stockholders of the company shall be held at that place on the second Wednesday of January, 1896, and thereafter annually on that day.

Location of offices and annual meeting of stockholders.

SECTION 3. The officers of the company shall consist of a president, vice-president, secretary, treasurer, and a board of seven directors.

Officers of the company named.

SECTION 4. Within a reasonable time after the passage of this act the secretary shall call a special stockholders' meeting at which a board of seven directors shall be elected to hold office until the regular annual meeting in January, 1896, or until their successors are elected and qualified. The directors, immediately after their own election, shall meet and elect a president, vice-president, secretary and treasurer, to hold office during the same period for which the board is elected, or until their successors are elected and qualified.

Meeting to be called by the secretary in January, 1896.

SECTION 5. All acts and parts of acts conflicting with the provisions hereof are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 48, S.] [Published April 17, 1895.

CHAPTER 195.

AN ACT to establish a law uniform with the laws of other states relating to establishing a standard of weights and measures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Legal standard of weights and measures defined.

SECTION 1. The following shall be the legal standard of weights and measures in this state:

Troy pound, avoirdupois and hundredweight.

1. The avoirdupois pound to bear to the troy pound the relation of seven thousand to five thousand seven hundred sixty. The hundredweight to contain one hundred of avoirdupois pounds, and the ton twenty hundredweight.

Barrel, hogshead.

2. The barrel to contain thirty-one and one-half gallons, and the hogshead two barrels.

Dry and liquid gallon.

3. The dry gallon to contain two hundred eighty-two cubic inches; the liquid gallon two hundred thirty-one cubic inches.

Measures, how computed.

SECTION 2. Whenever either of the articles as commodities in this section mentioned shall be sold by the bushel, and no special agreement as to the measure or weight thereof shall be made by the parties, the measure thereof shall be ascertained by weight and shall be computed as follows:

What constitutes a bushel.

SECTION 3. The bushel in heap measure to contain two thousand, one hundred fifty and forty-two hundredths cubic inches.

A barrel of flour, potatoes.

SECTION 4. A barrel of flour measured by weight shall contain one hundred ninety-six pounds; a barrel of potatoes one hundred seventy-two pounds.

Wheat.

SECTION 5. The bushel of wheat to contain sixty pounds.

Corn, rye.

The bushel of Indian corn or of rye, fifty-six pounds.

The bushel of barley, forty-eight pounds. Barley.
The bushel of oats, thirty-two pounds. Oats.
The bushel of corn meal, fifty pounds. Corn meal.
The bushel of rape seed, fifty pounds. Rape seed.
The bushel of millet seed, fifty pounds. Millet seed.
The bushel of beets, fifty pounds. Beets.
The bushel of green cucumbers, fifty pounds. Green cucumbers.
The bushel of green apples, fifty-seven pounds. Apples.
The bushel of rye meal, fifty pounds. Rye meal.
The bushel of peas, sixty pounds. Peas.
The bushel of potatoes, sixty pounds. Potatoes.
The bushel of apples, forty-eight pounds. Apples.
The bushel of carrots, fifty pounds. Carrots.
The bushel of onions, fifty-seven pounds. Onions.
The bushel of clover seed, sixty pounds. Clover seed.
The bushel of herdgrass, or timothy seed, forty-five pounds. Timothy seed.
The bushel of Hungarian grass seed, forty-eight pounds. Hungarian grass seed.
The bushel of hemp seed, forty-four pounds. Hemp seed.
The bushel of bran and shorts, twenty pounds. Bran, shorts.
The bushel of flaxseed, fifty-five pounds. Flaxseed.
The bushel of coarse salt, seventy pounds. Coarse salt.
The bushel of fine salt, fifty pounds. Fine salt.
The bushel of lime, seventy pounds. Lime.
The bushel of sweet potatoes, fifty-four pounds. Sweet potatoes.
The bushel of beans, sixty pounds. Beans.
The bushel of parsnips, forty-four pounds. Parsnips.
The bushel of turnips, forty-two pounds. Turnips.
The bushel of barley malt, thirty-four pounds. Barley malt.
The bushel of dried apples, twenty-five pounds. Dried apples.
The bushel of dried peaches, thirty-three pounds. Dried peaches.
The bushel of rough rice, forty-five pounds. Rice.
The bushel of upland cotton seed, thirty pounds. Cotton seed.
The bushel of Sea Island cotton seed, forty-four pounds. Sea Island cotton seed.
The bushel of buckwheat, forty-eight pounds. Buckwheat.
The bushel of unslacked lime, eighty pounds. Lime.
A barrel of unslacked lime shall be ascer- Barrel of lime.

tained by weight and shall be computed at two hundred pounds.

SECTION 6. All laws or parts of laws contravening the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 200, S.] [Published April 15, 1895.

CHAPTER 196.

AN ACT to amend section 3962, of the revised statutes, relating to the appointment of guardians to minors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Guardians to minors, how appointed.

SECTION 1. Section 3962, of the revised statutes is hereby amended by adding thereto as follows: Such nomination shall be made in the county court, by the minor, or, if he does not reside within ten miles of the place of holding the county court, he may sign the application in the presence of a justice of the peace of the town, city or village, in which he resides. The justice shall certify to the county court, that the application is the application of said minor, signed in his presence, and the court shall be satisfied that the person appointed is the deliberate choice of such minor. So that said section 3962, when so amended shall read as follows: Section 3962. All persons under the age of twenty-one years shall be deemed minors; and the county court in each county may appoint guardians to minors and others subject to guardianship, being residents in the same county, and also to such as shall reside

without the state and have any estate within the county. If a minor is under the age of fourteen years, the court may nominate and appoint his guardian; if he is above the age of fourteen years, he may nominate his own guardian, who if approved by the court shall be appointed accordingly. Such nomination shall be made in the county court by the minor, or if he does not reside within ten miles of the place of holding the county court, he may sign the application in the presence of a justice of the peace of the town, city or village in which he resides. The justice shall certify to the county court, that the application is the application of said minor, signed in his presence, and the court shall be satisfied that the person appointed is the deliberate choice of such minor.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 563, A.] [Published April 17, 1895.

CHAPTER 197.

AN ACT to amend section 290, of the revised statutes of 1878, relating to the distribution of stationery.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 290, of the revised statutes of 1878, is hereby amended so as to read as follows: Section 290. The state stationery, when purchased, shall be deposited with the said superintendent for safe keeping and disbursement. He shall charge himself in the books of his office with all stationery purchased and received by him, at cost price, and shall

Stationery to be kept by the superintendent of public property.

How purchased and distributed and to whom.

keep separate accounts with each state officer, the supreme court, the legislature and other officers and institutions to whom he shall furnish stationery as required by law. In addition to the stationery required by law to be furnished to the legislature, its officers, clerks, employes, reporters and committees, the said superintendent shall furnish all necessary stationery as follows, and to no others: To the governor, or his private secretary, for his office; to the secretary of state, or his assistant, for his office; to the chief clerk of the land office, for his office; to the state treasurer, or his assistant, for his office; to the state treasury agent, for his office; to the attorney-general, or his assistant, for his office; to the state superintendent, or his assistant, for his office; to the clerk of the supreme court, for the supreme court; to the corresponding secretary of the state historical society for its rooms; to the adjutant general, or his assistant, for his office; to the quartermaster general, or his assistant, for his office; to the secretary of the state agricultural society, for said society; to the railroad commissioner, or his deputy, for his office; to the insurance commissioner, or his deputy, for his office; to the secretary of the board of control, for the use of said board; to the state librarian, for the use of the state library; to the commissioner of labor statistics, for his office; to the superintendent of public property, for his office; to the dairy and food commissioner, for his office. No clerk, or any state officer, or any department of the state shall be permitted to receive any stationery unless on the written order of some of the persons above described.

Nothing can be received except on written order.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 236, S.] [Published April 18, 1895.

CHAPTER 198.

AN ACT to provide for the appointment of jurors to be sworn and serve as a jury to view lands in cities operating under special charters.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appointment of jurors to serve as a jury to view lands.

SECTION 1. Whenever in any city incorporated by and operating under a special charter granted by the legislature of this state, the requisite number of jurors shall have been summoned to appear before any court or judge, to be sworn and serve as a jury to view lands for the purpose of determining the necessity of taking any lands for public use, or vacating any highways, streets, alleys or public walks, and shall have appeared before said court or judge for the purpose of taking an oath or affirmation in the matter of such taking or vacating, and any of the jurors summoned shall fail to attend or shall be excused by the court or judge, the court or judge shall thereupon forthwith name and appoint the requisite number of other duly qualified jurors to serve upon said jury in the place of such jurors so excused, or failing to attend. Any juror so named and appointed may be examined by any person interested in such taking or vacating, who shall be present, and if it shall appear to the court or judge that any such juror or jurors are disqualified to act in the matter, he or they shall be excused, and a requisite number of other jurors shall be thereupon named and appointed in his place until the requisite number of jurors shall be obtained, and the said jurors shall thereupon before they proceed to view the premises proposed to be taken or vacated, severally take and subscribe an oath or affirmation before the

court or judge to the effect that they will faithfully and honestly discharge the duties imposed upon them, and determine whether or not it is necessary to take or vacate the premises in question for the public use.

In case one of the juror sbe absent.

SECTION 2. Whenever such jurors shall have met in any duly authorized manner for the purpose of hearing persons interested in such taking or vacating, and any such juror or jurors shall be absent at the time set for such hearing and for one hour thereafter, the jurors present shall have power to publicly adjourn their proceedings to the same place for a period not exceeding twenty days, and the city attorney shall report the names of such absent juror or jurors to the chief of police or to any of the police officers of the city, together with the place and the hour to which such jury has adjourned, and the said chief of police or police officer shall thereupon notify said absent juror or jurors of such adjournment and direct them to be present at the time and place fixed by such adjournment.

SECTION 3. All acts and parts of acts inconsistent with this act, are repealed, in so far as they interfere with this act and no further.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 138, A.] [Published April 17, 1895.

CHAPTER 199.

AN ACT to amend section 142, of chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes, and providing for their incorporation and government," as amended by chapter 312, of the general laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 142, of chapter 326, of the general laws of 1889, as amended by chapter 312, of the general laws of 1893, is hereby amended by dividing the same into two sections, which shall read as follows: Section 142. On or before the first day of October in each year the board of public works, if there be one, and the board of education, shall each file with the city clerk a detailed statement of the amount of money that will be required for the ensuing fiscal year in their respective departments. And the city comptroller, or the officer or officers performing his duties, shall likewise file a statement of the amount required by the police department, fire department, the general fund, and for the purpose of paying interest for the ensuing year on the public debt, and five per cent. of the principal thereof. The city clerk shall place such estimates before the city council at its next regular meeting, for their consideration, and the council shall thereupon, by resolution, levy such sum of money as may be sufficient for the several purposes for which taxes are authorized, not exceeding the amount provided by section 142a. And in making such levy they shall take into consideration the estimated amount that will be received by the city during the fiscal year from licenses or from any other source. Section 142a. The common

Detailed statement of money required for ensuing year to be filed with city clerk.

Power to levy taxes annually, duties defined.

council shall have power to annually levy such sum or sums of money as may be sufficient for the several purposes for which taxes are authorized to be levied, and to apportion the same into such funds for city and ward purposes as they may provide by ordinance or resolution; provided, a tax levied for any one year for municipal purposes, together with the tax required to be levied for state, county and county school purposes, and for delinquent taxes for the preceding year, shall not exceed the amount of three per cent. of the assessed value of real and personal property of the city in that year.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 320, S.] [Published April 17, 1895.

CHAPTER 200.

AN ACT to amend chapter 326, of the laws of 1889, entitled, "An act dividing cities into classes and providing for their incorporation and government," as amended by chapter 312, of the laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How to proceed when street improvements are needed.

SECTION 1. Section 176, of chapter 326, of the laws of 1889, as amended by chapter 312, of the laws of 1893, is hereby amended by inserting after the words "as set forth," in the sixth line of said amended section, the words following, to-wit: "In such petition, the common council shall order such improvement;" so that said section when so amended shall read as follows, to-wit: Section 176. In any city, whenever the

owners of more than one-half of the frontage of the lots upon that part of any street proposed to be improved shall petition the common council to improve such street, or part of street, by stone paving, macadam or otherwise, as set forth in such petition, the common council shall order such improvement to be made in such manner as shall be fully specified by the city surveyor, and approved by the mayor, and upon advertisement, setting forth clearly such specifications, may contract for such work to be done by the lowest responsible bidder, if deemed reasonable in cost; provided, that such improvement, unless made to connect with streets somewhat similarly improved shall be made to extend upon such street, not less than the length or width of three blocks of lots, and the street crossings between. The cost of such improvement, when made, shall be assessed to the respective owners of the lots fronting on such street, in the ratio of each owner's number of feet front, to the entire length of such improvement, exclusive of street crossings, which shall be chargeable to the city, as its proportion of expense, and such crossings shall be made to conform with the street so improved. The word street as herein used may be construed to mean two or more streets, when the whole taken together would form one continuous drive.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 183, A.] [Published April 17, 1895.

CHAPTER 201.

AN ACT to amend chapter 30, of the private and local laws of 1856, as amended by chapter 24, of the laws of 1881, entitled, "An act to incorporate the Mayville union school district in the county of Dodge."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Mayville joint free high school district defined.

SECTION 1. That from and after the passage of this act the following described territory situate, lying and being in the city of Mayville, and in the town of Williamstown, county of Dodge, Wisconsin, shall be known as the Mayville joint free high school district, and shall contain the following territory, viz.: The south half of section thirteen, and the south three-eighths of the northwest quarter of said section thirteen. All of section fourteen except the north half of the northeast quarter. Sections twenty-three, twenty-four, twenty-five, twenty-six, thirty-five and thirty-six, and the city of Mayville, situated in said sections thirteen, fourteen, twenty-three and twenty-four.

Corporate name.

SECTION 2. The Mayville union school district, composed of the above described territory, shall be hereafter known as the Mayville joint free high school district, and shall be a body corporate with perpetual succession, and shall possess all the powers and receive all the benefits and enjoy all the rights and privileges conferred by law on common school districts and free high schools.

Officers and their terms defined.

SECTION 3. The officers of such district shall be a director, treasurer, and clerk, whose term of office shall be each three years, beginning with the annual school meeting, and until his successor shall have been chosen or appointed. The first election of officers under this act shall

be held at the annual meeting of the district to be held in July, 1895; provided, that at the first election the clerk shall be elected for the term of three years, the director for the term of two years and the treasurer for the term of one year, and thereafter such officers shall be elected at the annual school meeting, and shall hold their offices for the term of three years each; provided, that at the first election the clerk only shall be elected for three years, and that G. J. Clark, director already elected, shall hold his office for the term of two years from the next annual school meeting, and that Wm. Albrecht, already elected, shall be designated as treasurer of said school district and shall hold his office for the term of one year from the next annual school meeting; and thereafter such officers shall be elected at the annual school meeting, and shall hold their offices for the term of three years.

High school board and its duties.

SECTION 4. The officers aforesaid shall constitute the high school board, and as such board and such officers, shall conduct the affairs of such joint free high school district, on the same general plan provided for by law for a school district, and shall have and possess, with respect to such joint free high school district, all the powers including all such as may be conferred by a vote of the district meeting, and be charged with all the duties conferred in the statutes on the district officers and district board of a school district applicable to joint free high school districts. The treasurer shall give a like bond, to be approved and filed in a like manner. The high school district clerk shall make a similar report to that provided in section 462, omitting the first subdivision. They may grade such school and establish branches of study to be taught therein, under the advice of the state superintendent. Every forfeiture and punishment enacted against neglect or violation of duty in school-district officers, shall be held equally to apply to the officers of this district for a like neglect or violation.

SECTION 5. The Mayville joint free high school district school shall be free to all pupils resident in the district; but the board shall have the power to allow children of persons not residents of the district to attend the said school on such terms as the board shall prescribe, fixing the tuition that shall be paid therefor. And every principal of this high school elected or appointed shall be a graduate of some university, college or normal school, or shall hold a state certificate, or shall pass an examination in the studies required to be taught in any such school.

District may vote money—amount.

SECTION 6. The Mayville joint free high school district shall have the power to vote such tax on the taxable property of the district as the meeting may deem expedient; to build or repair a schoolhouse; to authorize the board to borrow upon the faith and credit of the district, such sum or sums of money, not exceeding the sum of five thousand dollars, upon such terms and on such length of time as the said board may determine; and to renew said loan from time to time. And should a loan be perfected by the said Mayville joint free high school district under the provisions of this act, all the taxable property in this district at the time of making the loan and all that may be added or annexed thereto, shall be holden for the faithful payment of the interest and principal of the money loaned, and it shall be the duty of the school board to levy and raise without a vote of the said district, a tax sufficient to pay the principal or interest, according to the condition of such loan.

How a loan may be made.

SECTION 7. The school board shall have the power when so directed by the qualified voters of the said district: 1. To borrow on the faith and credit of the district such sum or sums of money, not exceeding the sum of five thousand dollars, upon such terms and for such length of time as they shall determine. And to renew said loan from time to time and to make, execute and deliver, in or out of the state, all nec-

essary writings, notes, bonds or other papers, and securities, in amount and kind as by them may be deemed expedient, in consideration of any such loan. 2. To purchase such sites, and erect such building thereon as the qualified electors at any legal meeting shall direct. 3. To purchase such school apparatus, books, maps, furniture and appendages, as they shall think necessary, and to exchange, improve and repair the same when they shall deem it expedient.

Contract to be in the name of the district.

SECTION 8. All contracts shall be in the name of the Mayville joint free high school district, and to be binding or valid, shall be signed by or receive the sanction of a majority of the school board. Orders on the treasurer shall be signed by the clerk and countersigned by the director.

Previous debts and contracts valid.

SECTION 9. All debts of the Mayville union school district and all contracts entered into by said district, previous to the passage of this act, shall be valid and continue as if no change had taken place.

This act does not affect laws now in force relating to school moneys.

SECTION 10. Nothing in this act shall be construed as in any way affecting or abridging the provisions of law now in force relating to the distribution of school moneys to joint school districts or to free high schools, and the clerk of the Mayville free high school district shall make all reports to the county and state superintendents, and to the town clerks of the town of Williamstown, and the city clerk of the city of Mayville, now required by law of school clerks in joint districts. And in addition thereto shall, on or before the third Monday in November in each year, deliver to the town clerk of the said town, and the city clerk of the said city, a statement in writing verified by his affidavit showing the proportion of taxes to be assessed in that part of the district, within such town or city, which said proportion shall be ascertained as provided by law in reference to apportionment of taxes in joint school districts.

SECTION 11. The taxes levied and assessed by the Mayville joint free high school district

Taxes levied—how apportioned and assessed.

shall be proportioned and adjusted between the city of Mayville and the town of Williamstown and the assessment in said district equalized as provided in section 471, of the revised statutes of Wisconsin. And the said taxes when so apportioned shall be assessed by the town clerk of the town of Williamstown and the city clerk of the city of Mayville and collected by the town and city treasurer of the said town and city as provided by law, and that the said taxes when so assessed and collected shall be paid by said town treasurer and city treasurer to the school treasurer of the said Mayville joint free high school district.

School law to govern.

SECTION 12. Whenever any lawful act is required to be done in or about said Mayville joint free high school district, and not by this act provided for, the school law in all cases shall govern.

SECTION 13. All acts and parts of acts conflicting with this act are hereby repealed.

SECTION 14. This act shall take effect and be in force from and after its passage and publication.

Approved April 11, 1895.

No. 422, S.] [Published April 12, 1895.

CHAPTER 202.

AN ACT to abolish the state board of control of six members as now constituted and to create a state board of control of reformatory, charitable and penal institutions of five members.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State board of control abolished.

SECTION 1. The state board of control of the Wisconsin reformatory, charitable and penal

institutions, as now constituted, is hereby abolished, and the said board shall go out of existence and cease to discharge their respective duties on the fifteenth day of April, 1895.

Governor shall appoint five new members. Functions of the new board.

SECTION 2. The governor, by and with the consent of the senate, at any time after the passage and publication of this act, shall appoint five persons, no two of whom shall be residents of the same congressional district, and not all of said members when appointed shall belong to the same political party, a state board of control of the Wisconsin reformatory, charitable and penal institutions, who shall be a body corporate under and by said name, and shall have and possess all the powers, and may exercise all the functions of the board abolished by section 1, of this act. Said board shall devote its entire time and attention to its duties, as provided in chapter 29, of the revised statutes, and the acts amendatory thereof, and in chapter 298, of the laws of 1881, and acts amendatory thereof, except as hereinafter provided.

Shall meet and take the constitutional oath.

SECTION 3. Said board shall meet and organize on or before the fifteenth day of April, 1895, and shall enter upon the discharge of its duties upon the fifteenth day of April, 1895. Each member of the said board before entering upon the discharge of his duties shall take and subscribe an oath to support the constitution of the United States and the constitution of the state of Wisconsin, and honestly and faithfully to discharge his duties as a member of said board to the best of his ability, which oath shall be filed in the office of the secretary of state.

Term of each member.

SECTION 4. The members of the said board shall hold office for the term of five years, except that the members first appointed shall be appointed for one, two, three, four and five years respectively from the date of appointment; the governor, at the time of appointment to designate the term the member is to serve. Appointments to fill vacancies occasioned by death, resignation or removal shall be for the unex-

Appointments to fill vacancies—how made.

pired term. Upon the expiration of any regular term or the occurring of any vacancy, the governor shall appoint as herein provided.

Shall be provided with a room in capitol, and stationery, etc.

SECTION 5. Said board shall be provided with a room in the capitol building at Madison, as its office, and said board or a committee thereof, shall hold thereat regular meetings for the transaction of business, at least once in each month, and shall be furnished with all necessary furniture and stationery, postage stamps and stamped envelopes, by the superintendent of public property and also all necessary blanks, blank books and printing by the commissioners of public printing, or any officer or officers upon whom the duties of such commissioners may become devolved.

Compensation of the board.

SECTION 6. Each member of said board shall receive a compensation of two thousand (2,000) dollars per annum and also all actual and necessary disbursements paid out in the discharge of the duties of his office. Said board shall also have power to expend a sum not exceeding three thousand (3,000) dollars per annum as salary for a secretary of said board and for clerk hire. All bills incurred by said board in the management of the public institutions under its charge shall be rendered to the board under oath, and when allowed by the board, a list of the claims so allowed, giving the name of the claimants, and for what purpose and for what institution the debt was incurred, shall be made out and certified under the direction of said board by its president or secretary, which list so certified shall be filed as often as once a month with the secretary of state, who shall audit the same according to law and shall then draw his warrants on the state treasurer, to be paid out of the proper fund in favor of each of said claimants, and deliver the same to the secretary of said board to be by him transmitted to the proper parties, and the personal expenses of each of the members of said board shall be audited directly by the secretary of state.

Bills, how rendered and by whom audited.

SECTION 7. It shall be the duty of said board of control to maintain and govern the Wisconsin state hospital for the insane, the northern hospital for the insane, the Wisconsin state prison, the Wisconsin industrial school for boys, the Wisconsin school for the blind, the Wisconsin school for the deaf, and the state public school for dependent and neglected children, and all other reformatory, charitable and penal institutions that may hereafter be established or maintained by the state. All the powers and duties now conferred by law upon the present board of control of such institutions are hereby conferred, devolved and charged upon the board of control hereby created. The said board shall make to the governor, on or before the first day of December in each year, the report required by subdivision 9, of section 565, of the revised statutes, and by section 20, of chapter 298, of the laws of 1881, and acts amendatory thereof.

Duties of the board defined.

SECTION 8. Whenever the governor shall deem it expedient to investigate any matter connected with any of the charitable, penal or reformatory institutions in this state, he may appoint a suitable person, male or female in his discretion, to make such investigation, and such person shall receive a compensation of six dollars and fifty cents per day for each day actually employed in such investigation, together with all actual expenses connected with such appointment, and the expenses thereof shall be audited by the secretary of state and paid from the general fund.

Governor may appoint a suitable person to investigate any matter.

SECTION 9. Chapter 221, of the laws of 1891, and acts amendatory thereof, and all acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 207, A.] [Published April 19, 1895.

CHAPTER 203.

AN ACT to provide for the treatment and cure of inebriates and persons addicted to the excessive use of drugs and other narcotics.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Habitual drunkard may take treatment at expense of the county.

SECTION 1. Be it enacted that when any citizen of the state becomes an habitual drunkard and is pecuniarily unable to procure and pay for treatment for such disease, any citizen of the state, the next friend, the attending physician, or any public officer may petition the county court or judge thereof, within and for the county where such habitual drunkard resides, for an order of said court or judge thereof, permitting said habitual drunkard to take treatment at some institution for the cure of drunkenness and drug addictions, established within the state, at the expense of the county, as the county judge may select.

What petition shall contain to obtain admission to cure.

SECTION 2. Said petition shall set forth the full name, age and residence of such habitual drunkard, whether married or single, and that he has resided within the state at least one year previous to the date of the petition; it shall also set forth that such habitual drunkard has not the means to pay for said treatment, nor have the person or persons, if any, who are charged with his support. Said petition shall also set forth what addiction such habitual drunkard is affected by, and that such person appears to be unable to abstain by means of will power alone, and shall contain a prayer that such habitual drunkard may have treatment at the expense of the county, at such institute mentioned in section 1, of this act. Such petition shall be signed by the petitioner and verified by his affidavit of belief in the truth of the facts

set forth therein. Attached to, or forming a part of said petition, shall be a certificate signed and sworn to by two reputable citizens and taxpayers, as to the truth of the allegations therein. The written consent of such habitual drunkard to the granting of the prayer of the petition, and his agreement to take the treatment and obey the rules of said institution, shall be annexed thereto, or produced in court and filed therewith.

Duties of judge defined after petition is presented.

SECTION 3. Upon presenting such petition, verification and written consent, the said court or judge thereof, upon being satisfied of the truth thereof, shall cause an order to be entered that such habitual drunkard shall be taken to some institution within the state to be designated in such order; provided, that the expense of treatment in each case shall not exceed the sum of one hundred and thirty dollars, which sum shall cover and include all expense for treatment, medicines and board for four weeks. The expense for such treatment shall be paid by the county treasurer, within and for the county where such order is made, in the same manner as other claims against such county are paid.

Cannot be treated a second time.

SECTION 4. No such court or judge thereof shall entertain a petition or make any order to send any person for treatment, as herein set forth, a second time.

Persons treated may reimburse the county.

SECTION 5. Any person who shall be treated for such addictions under the provisions of this act, and who may desire to reimburse the county at whose expense he has been treated, may tender the county treasurer of said county the amount expended for his treatment, and said treasurer shall give a receipt for the amount so paid, which receipt shall state that such payment is for reimbursement as aforesaid, and the amount so paid shall be covered into the treasury of the county.

Term, habitual drunkard defin d.

SECTION 6. The term "habitual drunkard," under this act, shall include all persons addicted to the use of spirituous, malt or fermented liquors, morphine, opium, cocaine, or other

drugs or narcotics to such a degree as to deprive him or her of the power of reasonable self-control.

SECTION 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 204, A.] [Published April 13, 1895.

CHAPTER 204.

AN ACT to enlarge the powers of incorporated villages having a population of four thousand persons or over.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Incorporated villages of 4,000 inhabitants or more to have additional powers.

SECTION 1. The president and trustees of every incorporated village having a population of four thousand or more inhabitants, or which shall hereafter have such number of inhabitants, shall in addition to the powers now provided by law, have the power:

To license and regulate.

1. To license and regulate hackmen, draymen, cartmen, porters, runners, omnibus drivers, cabmen, carmen and all others.

Control and regulate streets.

2. To control and regulate the streets, alleys and public grounds in said village, and provide for sprinkling the same, and to remove and abate any obstruction and encroachment thereon.

Require the removal of snow, ice and rubbish.

3. To compel the owners or occupants of buildings or grounds to remove and keep snow, ice, dirt or rubbish from the sidewalks, streets or alleys opposite thereto, and on their default

to authorize the removal thereof by some officer of the village, at the expense of such owner or occupant.

4. To provide by ordinance or resolution that all money derived from licenses granted under the provisions of chapter 66, of the revised statutes, and acts amendatory thereof, shall go to the general fund of the village, if they deem proper so to do.

License money to go to the general fund.

SECTION 2. Every such village shall be represented in the county board of supervisors of the county in which such village is situated, by one supervisor for every one thousand inhabitants, or major fraction thereof, which supervisor shall be elected annually by the electors of such village at the same time and in the same manner as village officers are elected, and when any vacancy shall occur in the office of such supervisors, the president and board of trustees of the village shall fill such vacancy by appointment.

Shall be represented on the county board by a supervisor.

SECTION 3. Any such village may annex additional contiguous territory by ordinance passed by a unanimous vote of the trustees of such village, ratified at an election as herein provided. Such ordinance shall set forth the boundaries of the territory intended to be annexed, with their courses and distances, and shall direct a special election to be called by the president of the village for the purpose of submitting the question of the ratification of such ordinance to the electors of such village, and the electors resident in the territory described in such ordinance. The president of such village shall forthwith give notice of the submission of such question by publishing a notice thereof, not less than two weeks nor more than six weeks in one or more newspapers published in such village, specifying therein the purpose of the election, the time and place of holding the same, the names of the inspectors and clerks thereof, and the time of opening and closing the polls. The ballots in favor shall be "for annexation ordinance," and those opposed "against annexation ordinance." Such election

May annex additional territory, how and when.

Submission of the question, how made.

shall be conducted and the votes canvassed and returned in the manner required by law at special elections in such village. At the first regular meeting of the president and trustees, after the return of such election shall have been made as aforesaid, such return shall be publicly opened and read by the president, and if it shall appear from said return that a majority of all the votes cast at such election were for the annexation ordinance, such ordinance shall be deemed ratified and approved within the meaning of this act, and the territory described in such ordinance shall thereafter be annexed to and incorporated with such village as fully and completely as if embraced in the charter of such village. Within twenty days after the annexation of any territory as aforesaid, the ordinance of annexation, with a certificate of the president of the village that it has been duly ratified at an election held for that purpose, shall be recorded at length in the office of the register of deeds and in the office of the village clerk. All necessary expenses and charges attending upon such annexation shall be paid by such village; provided, that any such incorporated village when so enlarged shall have the requisite number of inhabitants to the square mile, as provided by section 854, of the revised statutes; and provided further, that the total area of such village shall not exceed in the aggregate four square miles.

SECTION 4. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 392, S.] [Published April 23, 1895.

CHAPTER 205.

AN ACT to provide for the dispensing of charity in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Stone yard or wood yard to be established for use of persons receiving public charity.

SECTION 1. The county board of supervisors of each and every county in this state containing a city of the first class as defined by section 1, of chapter 312, of the laws of 1893, and in which the distinction between county poor and town poor shall have been abolished, shall, within one year from the passage of this act, cause to be established and shall thereafter maintain at the expense of such county, a stone yard or a wood yard, or both, as may be practicable, and also a temporary lodging and boarding house in connection therewith, with necessary and suitable structures and equipment therefor, on ground either purchased or leased by such county, and all persons receiving or applying for aid or relief from such county at the public charge, who are not incapacitated by age, sickness or other sufficient cause, and are not inmates of the county house, shall be directed or sent by the county superintendent of the poor or his authorized agents, to such stone or wood yard, and shall be required to perform work and labor at such yard or yards as a condition of receiving such aid or relief and before receiving the same, except in cases of emergency, when the superintendent of the poor of such county may furnish the immediate temporary relief needed without requiring such previous work or labor; provided, however, that no person shall receive board or lodging at such boarding and lodging house unless he shall make compensation therefor by his labor performed in said stone or wood yard, or for more than three consecutive days.

Commissioners to be appointed to superintend the same.

SECTION 2. The county board of supervisors in each such county shall, prior to the first day of February, A. D. 1896, appoint three commissioners, one for the term of one year, one for the term of two years, and one for the term of three years, from the first day of February, A. D. 1896, and thereafter said county board shall annually appoint one commissioner for the term of three years in place of the commissioner whose term shall then expire. Said commissioners shall have power to make and establish rules and regulations for the conduct and management of such yard or yards and of such boarding and lodging house as shall be so established, and to provide for the purchase and supply of tools, furniture, materials and supplies for the business of such yard or yards and said boarding and lodging house, at the expense of their county, and shall also have power to sell and dispose of any and all products of such stone or wood yards, or both, as to them shall seem best, and in the name of their county to collect and receive the proceeds thereof; and it shall be the duty of said commissioners to make a quarterly report, under oath of their president and secretary, to said county board of supervisors of all purchases and sales made and of all moneys received for the products of said stone or wood yard or both, and of the expense of operating the same, and at the same time to pay into the county treasury all moneys so received.

President to be elected from the commissioners.

SECTION 3. The commissioners appointed as provided in section 2, of this act, shall elect from among their number a president, and shall also appoint a general manager and a superintendent of said yard or yards and of the business carried on in connection therewith, one of whom, to be designated by said commissioners, shall also act as secretary of said commissioners; and it shall also be the duty of said general manager and superintendent, under the direction of said commissioners and subject to the rules and regulations adopted by them, to superintend and manage the business of said

yard or yards and the work and labor there done, and to perform such other duties as shall be prescribed by said board, and such superintendent and manager shall respectively receive such salaries for their services as such and as secretary of said commissioners, not less than fifteen hundred nor more than two thousand dollars in the aggregate, as shall be fixed by the said commissioners with the approval of the county board of supervisors, which salaries shall be paid out of the county treasury as the salaries of other county officers are paid. The commissioners, including the president, shall receive no compensation for their services as such.

Necessary funds to be furnished by taxation.

SECTION 4. It shall be the duty of the county board of supervisors of each such county to provide by taxation the necessary funds for maintaining and operating such stone and wood yards and such boarding and lodging house, when established, and to pay the necessary expenses of operating the same, including the salaries of the manager and superintendent thereof. Said commissioners are hereby empowered to receive for the use and maintenance of said yards and the business there carried on, private contributions of either real or personal property, and they shall make report to said county board of supervisors of any and all contributions so received.

SECTION 5. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 530, A.] [Published April 19, 1895.

CHAPTER 206.

AN ACT to provide for the incorporation of societies organized for the purpose of securing homes for orphans, or abandoned, neglected or grossly ill-treated children, by adoption or otherwise, and providing rules for the regulation of the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Homes for neglected children.

SECTION 1. Any corporation heretofore organized or which shall be hereafter organized under the provisions of chapter 86, of the revised statutes of 1878, entitled, "of the organization of corporations," for the purpose of seeking out, receiving and procuring homes in private families for orphans or for homeless, abandoned, neglected or grossly ill-treated children, shall have the power to receive into its charge and under its control by commitment or otherwise and may become the legal guardian of any child under fifteen years of age, residing and being in the state of Wisconsin, who shall be grossly ill-treated by any person or persons having or exercising control over it, or shall have been abandoned, or who shall be without a home, or who shall be surrounded by bad or immoral influences, or who shall be dependent, or whose living parent or parents by an instrument in writing shall assign and commit such child to the care and custody of such corporation; and such corporation is hereby authorized and empowered to procure suitable and proper homes for any and all such children and to give away by adoption or place in families upon written contracts, any and all such children during their minority; and such corporation is hereby constituted the legal guardian of all children committed to or received by

it, and is hereby authorized and empowered, through its duly authorized officers, to consent in the courts of this state to the adoption of any such child by any person or persons, pursuant to the provisions of law, in the same manner and with the same force and effect as such consent could be given by the parent or parents of such child. Such corporation shall have the power and authority to enter into a written contract with any person or persons who shall take or receive any such child from such corporation otherwise than by adoption; and such contract shall provide for the proper care, education and maintenance of such child during his minority and shall specify the amount to be paid to such child, at the expiration of the period of such contract; provided, however, that in no case shall such contract contain any provision of a sectarian or political nature regarding the care, custody or education of any such child.

Shall make no charge except actual expense for taking to home.

SECTION 2. Such corporation shall in no case charge, or receive from the person or persons adopting any child through such corporation, any compensation therefor, except the actual expense of taking such child to the home of such person or persons and a reasonable fee for preparing and furnishing such papers and documents as may be requisite and necessary to secure the legal adoption of such child by such person or persons; and in no case shall any such person or persons so taking such child as aforesaid, receive from such corporation any compensation for the care, clothing or medical attendance of such child if the same shall be returned to the care and keeping of such corporation.

Careful supervision to be maintained.

SECTION 3. It shall be the duty of such corporation to keep and maintain a careful supervision of all children so placed as aforesaid and require of all persons who have taken or may hereafter take any such child, except such as have been legally adopted, a full report of the condition and welfare of such child, not less frequently than once in each year. And the

authorized officers and agents of such corporation shall have the right and authority to visit all such persons and families and personally investigate, as often as such corporation shall deem it necessary, the condition and welfare of any child taken either by adoption or otherwise; and, if such corporation shall become satisfied upon a careful and proper investigation that any such child is subjected to vicious or harmful influences, or is seriously lacking in wise and considerate care and attention, then such corporation shall have the authority to require the return of such child to the care and custody of such corporation at its principal office at the expense of the person or persons so required to return the same.

Shall report promptly to state board of control.

SECTION 4. It shall be the duty of the secretary of such corporation to report to the state board of control from time to time and as required, such facts with reference to all children committed to the care and custody of such corporation as such board may require, and upon such blanks as it may prescribe; and the state board of control by its duly authorized officers and agents shall have the right and authority at all times to investigate the homes in which any such children may be placed; in case said board shall at any time determine that any such child is placed in an improper home, or is subjected to vicious and harmful influences, or is not properly cared for, said board may order such corporation to transfer such child to a proper home, and if such transfer shall not be made within thirty days from the time of the service of notice to that effect upon such corporation, the said board may take charge of such child and make suitable provisions therefor.

Rights and powers of the corporation.

SECTION 5. Such corporation shall possess, in addition to the special powers conferred by this act, all the rights and powers conferred upon corporations by chapters 85 and 86, of the revised statutes of 1878 and the acts amendatory thereof, and shall be subject to all the provisions of such chapters applicable thereto.

SECTION 6. All the acts, proceedings and transactions of the "Children's Home Society of Wisconsin" heretofore had on and since the date of its organization, to-wit: The sixth day of December, A. D. 1892, in forming and organizing said corporation and in transacting its business at any time from its organization up to the present time, are hereby fully legalized and declared lawful and valid for all intents and purposes so far as the same are consistent with the laws of the state of Wisconsin and in conformity with the provisions of this act. Former acts legalized.

SECTION 7. No provision of this act shall be construed so as to give any claim to any corporation organized hereunder to any appropriation of moneys from the treasury of the state, No claim for appropriation.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 175, S.] [Published April 22, 1895.

CHAPTER 207.

AN ACT to confer limited, particular rights upon a certain class of towns.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. In any case where a town contained an unincorporated village with a population of not less than one thousand inhabitants, and the qualified electors of the town, at any annual town meeting or at any special town meeting called for that purpose, have adopted a resolution providing for a system of waterworks for the extinguishment of fires and other purposes, and the town board of that Waterworks in unincorporated villages in counties that contain over 100,000. Acts of town board legalized.

town, in accordance with the resolution so directed by the qualified electors of the town, have entered into a contract, by ordinance or otherwise, with a corporation created under the laws of the state of Wisconsin, among other purposes, for building, constructing, maintaining and operating waterworks for the purpose of providing water for protection against fire and for domestic and other purposes, for the purpose of providing such unincorporated village and its additions and divisions with water for protection against fire and for domestic and other purposes, and the franchise conferred by the town has been accepted and substantially performed by said corporation, all of the same shall be in all things valid as though at the time of the making thereof, said town, through its town board, had a right to make the same, and all things done by the town or the town board and the qualified electors of the town for the purpose of obtaining water for said unincorporated village, its additions and divisions, for protection against fire and for domestic and other purposes, and all ordinances, by-laws, rules and resolutions made and entered into by said town and the town board thereof, or the qualified electors of the town in regard to such matters, are hereby declared lawful and valid as though the town, or the town board thereof, or the qualified electors of the town, had the right to make the same at the time of the making thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 428, S.] [Published April 24, 1895.

CHAPTER 208.

AN ACT to authorize C. H. Holmes and his assigns to build a bridge across East river in the city or Green Bay.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build a bridge across East river, Green Bay.

SECTION 1. Charles H. Holmes and his assigns are hereby authorized to build and maintain a free foot bridge over and across the waters of East river in the city of Green Bay, Brown county, Wisconsin, from the north side of said river at some point between the center line of Pleasant street and the center line of Forest street, as may be deemed most suitable and convenient, to an opposite point on the south side of said river, and for the purpose of this act said Holmes and his assigns shall have the right to drive piles, construct cribs, build dykes or adopt any other method necessary or reasonable for the construction of a safe and convenient foot bridge. Provided, however, that said bridge shall be so constructed as not to materially interfere with the safe passage of boats, vessels and other water craft navigating the waters of said river.

Shall provide suitable pivot draw.

SECTION 2. It is hereby made the duty of said Holmes and his assigns to provide a suitable pivot draw, having a span of not less than thirty-five feet in the clear space on either side of the center crib or pivot, for this said bridge; and they are also hereby required to build, construct and maintain suitable approaches, guards and protection piers of sufficient strength and stability to protect the boats, vessels and other crafts from damage that may result from their passage through the draw of said bridge, either to themselves or said bridge.

SECTION 3. This act shall take effect and

be in force from and after its passage and publication.

Approved April 12, 1895.

No. 418, S.] [Published April 24, 1895.

CHAPTER 209.

AN ACT to authorize the Farmers' Mutual Fire Insurance Company of the town of Union, Rock county, Wisconsin, to file articles of incorporation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Farmers' Mutual Fire Ins. Co. may file articles of incorporation.

SECTION 1. The Farmers' Mutual Fire Insurance Company of the town of Union, Rock county, Wisconsin, is hereby authorized and empowered to file articles of incorporation under section 1927, annotated statutes of Wisconsin, and such articles of incorporation when so filed shall have the same force and effect as if they had been filed on the eleventh day of June, A. D. 1876, under and by virtue of the provisions of chapter 103, of the general laws of 1872; and all acts done by said insurance company that would have been legal had the said articles of incorporation been filed on the eleventh day of June, A. D. 1876, under and by virtue of the provisions of chapter 103, of the general laws of 1872, are hereby legalized.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 416, S.] [Published April 22, 1895.

CHAPTER 210.

AN ACT to authorize John E. McMullen, his heirs, associates and assigns to build and maintain a dam across the Big Eau Plaine river on any lands that he or they may own or control in township twenty-nine north, of range two east, in Marathon county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. John E. McMullen, his heirs, associates and assigns are hereby authorized to build and maintain a dam across the Big Eau Plaine river on any lands that he or they may own or control in township twenty-nine north, of range two east, in Marathon county, Wisconsin. Such dam may be used for driving, booming, storing, or rafting of logs and lumber, and the water power thereby created for hydraulic and manufacturing purposes. Authorized to build and maintain a dam.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 96, A.] [Published April 15, 1895.

CHAPTER 211.

AN ACT to provide for the distribution of the Blue Book.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

25,000 copies of blue book to be printed biennially.

Distribution of blue book to legislators, state officers, and public and other officers.

SECTION 1. The secretary of state shall, until otherwise provided by law, cause to be printed twenty-five thousand copies of the Blue Book at each regular session of the Wisconsin legislature, to be distributed as follows: To each member of the senate and assembly one hundred and twenty-five copies. To the chief clerks and the sergeants-at-arms of the two houses, fifty copies each. And to the assistant chief clerks and the assistant sergeants-at-arms, ten copies each. The journal clerk, the book-keeper and assistant book-keeper of the two houses, five copies each; and to each of the other clerks and employes, one copy each, whose names appear in the Blue Book. To the governor, one hundred and twenty-five copies. To the secretary of state, one hundred and twenty-five copies. To the rest of the elective state officers in the capitol one hundred and twenty-five copies each. To the state agricultural society, the state horticultural society, the state board of charities and reform, the academy of arts and sciences, the home office of the Wisconsin humane society, one copy each. To the state historical society, fifty copies. To each regent of the state university and normal schools, one copy. To each college, academy, free high school, normal school and free public library of the state, and to the state penal and charitable institutions, one copy each. To the county clerks and superintendents of schools of the several counties in this state, one copy each, which shall be delivered to their successors in office. To the

clerk of the supreme court of the state of Wisconsin, to the clerks of the United States courts in Wisconsin, one copy each. To each judge of a court of record in the state, one copy. To the reporters in regular attendance on the legislature, one copy each. To the justices of the supreme court of the state of Wisconsin and to the judges of the United States courts sitting within this state, one copy each. To each member of the state board of health, one copy. To the senators and representatives in congress and to the members of congress elect, one copy each. To each member of the board of commissioners of fisheries, one copy. To the adjutant general for the use of the Wisconsin National Guard, fifty copies. To the superintendent of public property, who shall distribute the same to the county and city superintendents of the state, a sufficient number to supply each school district in his or her superintendent district with one copy, which copy shall become the property of the district thus supplied, and shall be kept in the schoolhouse to be used as a reference book, as dictionaries and other reference books are kept for the use of pupils in the public schools. The remainder shall be kept by the secretary of state, who shall deliver to the superintendent of public property at the commencement of each regular session of the legislature, one hundred and thirty-seven copies, to be by him distributed to the members of the legislature and to the chief clerks and sergeants-at-arms of each house at the opening of the session; the remainder to be kept for sale and exchange. One copy of such Blue Book for each justice of the supreme court, state officer and each member of the senate and assembly and the chief clerks thereof, and each senator and member of congress, newspaper reporter in regular attendance upon the legislature, assistant clerks, and assistant sergeants-at-arms, shall be bound in half morocco and be lettered with the name of the person entitled to receive it. The Blue Book delivered to the public li-

braries, to the county clerks and county superintendents of schools shall be for the use of all persons desiring to use the same; provided, that in the year 1895, only seventeen thousand copies shall be printed under the provisions of this act and that the distribution of Blue Books of 1895 already made under the law of 1893, shall constitute a part of the allotment as provided by this act. The expense for preparing and publishing such Blue Book, other than such as is covered by the contract with the state printer, shall be fixed by the secretary of state and paid out from the state treasury.

17,000 additional for 1895.

Expenses of preparing and publishing to be fixed by the secretary of state.

SECTION 2. All acts or parts of acts in any manner conflicting with any of the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 308, S.] [Published April 22, 1895.

CHAPTER 212.

AN ACT to amend section 3069, revised statutes, relating to appealable orders.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

What orders may be appealed to the supreme court.

SECTION 1. Section 3069, of the revised statutes, is hereby amended so that it shall read as follows, to-wit: Section 3069. The following orders, when made by the court, may be carried by appeal to the supreme court.

Affecting a substantial right.

1. An order affecting a substantial right, made in any action, when such order, in effect, determines the action and prevents a judgment, from which an appeal might be taken.

2. A final order affecting a substantial right, made in special proceedings or upon a summary application in an action after judgment.

A final order affecting a substantial right.

3. When an order grants, refuses, continues or modifies a provisional remedy; or grants, refuses, modifies or dissolves an injunction; or when it sets aside or dismisses a writ of attachment for irregularity; or when it sustains or overrules a demurrer.

When it grants, refuses or modifies a provisional remedy, etc.

4. Orders made by the circuit court, vacating or refusing to set aside orders made at chambers, where by the provisions of this chapter an appeal might have been taken in case the order so made at chambers had been granted or denied by the circuit court in the first instance. For the purpose of an appeal from an order, either party may require the order to be entered by the clerk of record, and it shall be entered accordingly.

Vacating or refusing to set aside orders made at chambers.

SECTION 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 194, S.] [Published April 22, 1895.

CHAPTER 213.

AN ACT to repeal section 7, of chapter 172, of the laws for the year 1883.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 7, of chapter 172, of the laws for the year 1883, is hereby repealed.

Relating to the division of Burnett county to create Washburn county.

SECTION 2. Sections 8 to 11, inclusive, are hereby renumbered as and to be 7, 8, 9 and 10.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 228, S.] [Published April 22, 1895.

CHAPTER 214.

AN ACT to amend section 1323, of chapter 52, of the annotated statutes of Wisconsin, entitled, "To provide for the better protection of bridges."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County board may put signs upon ends of bridges.

SECTION 1. Section 1323, of the annotated statutes of Wisconsin is hereby amended so as to read as follows: Section 1323. The board of supervisors of any county, or the committee appointed by any such county board of supervisors as its bridge committee, the city council of any city, the board of trustees of any village and the supervisors of any town, may put up and maintain at the expense of such county, city, town or village, in conspicuous places at each end of any bridge in such county, city, town or village, built or maintained at the public expense by such county, city, town or village, and the length of the span of which is not less than twenty-five feet, a notice with the following words in large letters: One (or some other number not greater than ten dollars) dollar fine for driving or riding on this bridge faster than a walk; and whoever shall drive or ride faster than a walk on any such bridge, upon which such notice shall have been placed and shall then be, shall forfeit for every such offense the sum mentioned in such notice; and the chair-

man of the county board of supervisors of said county or the chairman of the bridge committee appointed by said county board, the mayor of such city, the president of the board of trustees of such village, or the chairman of the town board of such county, city, village or town by which such bridge shall be wholly or partly maintained, shall on being informed of such offense, sue for and collect all such forfeitures in the name of, and for the use of such county, city, town or village in and by which such bridge is maintained.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 256, S.] [Published April 22, 1895.

CHAPTER 215.

AN ACT in relation to appeals to the supreme court in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

No appeal to supreme court for less than $100 judgment unless it involves a point of law.

SECTION 1. No appeal shall hereafter be taken to the supreme court in any case from any judgment when the amount involved, exclusive of costs, is less than one hundred dollars, unless the judge of the court in which such judgment was rendered shall certify that the case necessarily involves the decision of some question or point of law of such doubt and difficulty as to require a decision of the same by the supreme court, or that it necessarily involves the construction or interpretation of some provision of the constitution of the United States or of the constitution of this state; and in all such

cases the question or questions so certified shall be briefly and clearly stated by such judge, and on the appeal no other question shall be considered or decided.

SECTION 2. All acts and parts of acts contravening the provisions of this act or conflicting therewith are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 279, S.] [Published April 18, 1895.

CHAPTER 216.

AN ACT to simplify the method of giving aid to paupers and the method of collecting the same in certain cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

In regard to giving aid to paupers not having a legal residence.

SECTION 1. Section 1512, of the revised statutes, is hereby amended so as to read as follows: Section 1512. When any person not having a legal settlement therein, shall be taken sick, lame or otherwise disabled, in any town, city or village, or for any other cause shall be in need of relief as a poor person, and shall not have money or property to pay his board and maintenance, attendance and medical aid, the supervisors or other proper authorities shall provide such assistance to such poor person as they may deem just and necessary, and if he shall die, they shall give him a decent burial. They shall make such allowance for such board, maintenance, nursing, medical aid and burial expenses as they shall deem just, and order the same to be paid out of the town, city or village

treasury. The expenses so incurred by such town, city or village shall be a charge against the county; the account of the town, city or village therefor shall be audited by the county board as other claims against the county and paid out of the county treasury; and the amount so paid by any county may be recovered by it in an action against the town, city or village in which such person so relieved has a legal settlement; provided, that it shall in all such cases be the duty of the town, city or village authorities within ten days after such person so becomes a public charge in their town, city or village to notify the county clerk of such fact, and thereupon the county authorities may take charge of such poor person and remove him to the county poor farm or relieve him in such other manner as they may see fit.

County board to have care of same.

SECTION 2. Section 1517, of the revised statutes, is hereby amended so as to read as follows: Section 1517. The county board shall have the care of all poor persons in their county who have no legal settlement in the town, city or village where they may be, except as provided in section 1512, and they shall see that they are properly relieved and taken care of at the expense of the county; they may make such rules and regulations as they may deem proper, not inconsistent with law, in relation to the support and maintenance of such poor persons, and they may also contract with the town board of any town in their county, to keep and maintain at the place where the poor supported by the county are kept, such poor persons as may be a charge upon such town at a stipulated price, the amount of which shall be levied and collected in such town in the same manner that county taxes are levied and collected therein.

SECTION 3. Sections 1513 and 1514, of the revised statutes are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1895.

No. 425, S.] [Published April 15, 1895.

CHAPTER 217.

AN ACT authorizing the attorney-general to satisfy and discharge certain judgments in favor of the state and against Edward C. McFetridge, et al.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amount paid into the treasury $152,687.00.

SECTION 1. Whereas, Edward C. McFetridge, an ex-treasurer of this state, has paid into the state treasury the sum of one hundred fifty-two thousand six hundred eighty-seven dollars and six cents, on account of three certain judgments obtained against him and his sureties in favor of the state for interest moneys received by him on account of deposit of public moneys in banks, which sum so paid into the treasury is the whole sum of money so received by him as interest, together with a rate of interest thereon to exceed three per cent.

Relieved from payment of any further sums.

Now, therefore, be it enacted that he and his sureties are hereby relieved from the payment of any further sum or sums on said judgments, or any or either of them, and the same are hereby released and discharged, and the attorney-general is hereby authorized and directed to satisfy and discharge said judgments and each and all of them of record.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 212, S.] [Published April 15, 1895.

CHAPTER 218.

AN ACT for the relief of Henry Baetz and Ferdinand Kuehn, ex-state treasurers, and their sureties.

Whereas, Henry Baetz received interest on deposits of public funds while treasurer of the state of Wisconsin, from the first Monday in January, 1870, to the first Monday in January, 1874, and Ferdinand Kuehn received such interest as state treasurer from the first Monday of January, 1874, to the first Monday of January, 1878, claiming and applying the same to their own use, and

Received interest on public funds.

Whereas, Said Ferdinand Kuehn on or about the first day of February, 1876, made a report to the legislature then in session of the interest he had received during the two years then last past, and notice was thereby given officially to the state of Wisconsin through its legislature that interest was then being received and theretofore had been received by state treasurers upon the deposits of public funds, and of their claim to such moneys for their own use, and

Made report of same to the legislature in February, 1876.

Whereas, The legislature of the state of Wisconsin then and there took action upon the subject, and by its proceedings and enactments, especially chapters 340 and 341, of the laws of 1876, yielded and conceded to the then state treasurer and to prior state treasurers all such interest received by them, and also all such interest which the then state treasurer might receive up to the first Monday of January, 1878, the time when his term of office should expire, and

Legislature took action and yielded the interest to them.

Whereas, No subsequent legislature has interfered with the adjustment so made, and

Has not since been interfered with.

Whereas, no claim for any such interest was ever made upon either of said ex-state treasurers or their sureties until the year 1891, when

No claim was ever made.

suits for the same were brought against them on behalf of the state of Wisconsin; it appearing moreover, that after the expiration of their respective terms of office, and before the bringing of said suits, each of said ex-state treasurers became insolvent and pecuniarily irresponsible, so that the burden of repaying said interest if now enforced would fall wholly upon their sureties, who, by reason of the aforesaid action of the state ought not now in justice to be subjected to such burden, now, therefore,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Attorney-general authorized to set aside judgments.

SECTION 1. The attorney-general of the state of Wisconsin is hereby authorized and directed to cause to be opened and set aside the judgments rendered against said Henry Baetz and Ferdinand Kuehn and their respective sureties, and to discontinue the suits against them.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 480, A.] [Published April 18, 1895.

CHAPTER 219.

AN ACT to allow receivers, assignees, guardians, committees, trustees, executors, administrators and other fiduciaries to include in the lawful expense of executing their trusts such reasonable sums paid a company, authorized under the law of this state so to do, for becoming their surety, as may be by the court allowed, not exceeding two per centum per annum on the amount of the obligation by such company executed.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Reasonable expenses of receiver, assignee, committee, etc., defined.

SECTION 1. That any receiver, assignee, guardian, committee, trustee, executor, administrator or other fiduciary required by law or the order of any court, or judge, to give a bond or other obligation as such, may include as a part of the lawful expense of executing his trust, such reasonable sum paid a company, authorized under the laws of this state so to do, for becoming his surety on such bond or obligation as may be allowed by the court in which, or the judge before whom, he is allowed or required to account, not exceeding, however, two per centum per annum on the amount of such bond or obligation by such surety executed; and in all actions or proceedings the party entitled to recover costs may include therein such reasonable sum as may have been paid by him to such company for executing or guaranteeing any bond or obligation therein.

SECTION 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 250, A.] [Published April 16, 1895.

CHAPTER 220.

AN ACT to amend section 2, of chapter 183, of the laws of 1880, entitled, "An act to provide for the appointment of a register in probate for Milwaukee county," as amended by chapter 553, of the laws of 1887.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Register in probate act for Milwaukee county, amended.

SECTION 1. Section 2, of said chapter 183, of the laws of 1880, as amended by chapter 553, of the laws of 1887, is hereby amended by striking out the words "twelve hundred" where they appear in said section, and inserting in lieu thereof, the words "fourteen hundred;" and also by striking out the words "one thousand" where they appear in said section, and inserting in lieu thereof, the words "twelve hundred," so that said section when so amended shall read as follows: Section 2. The county judge may appoint an assistant register of probate of said court whenever the business may require it; such assistant register shall take a like oath and give a like bond as required of said register of probate. He shall hold his office during the pleasure of the county judge. In the absence of the register of probate from his office, the assistant register may perform all the duties of the register of probate, with such exceptions and limitations as may be fixed by the county judge. The salary of the assistant register of probate shall be fixed by the county judge of said county at a sum not greater than fourteen hundred dollars, in proportion to amount of services it may be necessary for him to render and be payable monthly at the end of each and every month. He shall receive no fees of office or other compensation than his salary. Nothing in this act shall be construed as prohibiting the

county judge of Milwaukee county from drawing any papers or giving any counsel in probate matters or proceeding in which there is no contest involved; provided, such judge shall receive for such service no fees or other compensation than his salary now provided by law. The county judge may, whenever the business of the office requires it, appoint a clerk or clerks at a salary not exceeding twelve hundred dollars per annum for each, and the amount necessarily expended therefor, shall be paid monthly at the end of each and every month, out of the treasury of said county.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 258, S.] [Published April 16, 1895.

CHAPTER 221.

AN ACT to revise, amend and consolidate the laws of the state relating to game and its preservation, fish and the preservation and propagation thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is constituted a board of eight commissioners of fisheries, composed as follows, and to be styled, "The Commissioners of Fisheries:" Board of commissioners created to consist of

1. The governor while in office. The governor.
2. Six commissioners to be appointed by him and with the consent of the senate. Six commissioners.

Professor of Zoology of university of Wisconsin.

3. The professor of zoology in the University of Wisconsin, for the time being, shall be ex-officio a member of said commission.

Terms of appointment.

SECTION 2. The terms of appointment of the six members shall be six years and until their successors are appointed. The appointments shall be made by the governor and reported to the senate as soon as practicable, and in case the senate is not in session the commissioners appointed shall act from and after the date of appointment. And in the order in which vacancies upon the board of commissioners shall occur, the governor shall appoint one commissioner for one year; one for two years; one for three years; one for four years; one for five years; one for six years; and after such vacancies have been filled by such appointments in such order, the appointment of succeeding members of the commission shall be for the term of six years each. The terms of the present commissioners shall continue the same as if this act had not been passed. The governor shall fill all vacancies by appointment, the person so appointed to hold for the residue of the term only.

Organization of the board.

SECTION 3. The organization of the board shall be as follows: One of the number shall be chosen as president, and one as treasurer. The president, treasurer and secretary, as hereinafter provided for, shall constitute an executive committee of said board, which committee shall have power to act in all matters pertaining to fish and game in the absence of the board, under such restrictions, rules and regulations as may be prescribed by the by-laws adopted by such board. The secretary shall act as secretary of the board and keep its records. They may choose from their number such other officers as their by-laws provide for. They may make such by-laws as they may deem proper, not inconsistent with law, and meet at such times and places as they by their by-laws may prescribe, and appoint such committees and delegate to them such duties under the power

and direction of the commissioners as they deem expedient. The commissioners shall receive no compensation, but each shall be re-imbursed his expenses, certified by him with a statement of items to be actually and necessarily incurred in the performance of his official duty, out of such appropriation as may be made by the legislature, and no officer shall receive any compensation except such as is herein provided for.

SECTION 4. The commissioners of fisheries shall have general charge of the following public matters, and necessary powers thereof:

Commissoners shall have charge.

1. The propagation and breeding of fish, of such species and varieties as they deem of value to the people of the state.

Propagation and breeding of fish.

2. The collecting and diffusion of such information as they deem useful in regard to the propagation and preservation of fish.

Collection and diffusion of information.

3. The government and control, supply and repair of the state hatcheries, the grounds used therefor whether owned or leased, the buildings, ponds, apparatus and all other property belonging to or held by the state for the propagation of fish.

Control of state hatcheries.

4. The purchase and establishment of new hatcheries in like manner, when appropriations shall be made by law to maintain the same.

Purchase and establishment of new hatcheries.

5. The receiving from the commissioner of the United States or other persons, of all spawn or fry donated to the state or purchased, and in the most practical ways by exchange or otherwise, to procure, receive, distribute and dispose of spawn and fish, and to take such other measures as shall in their judgment best promote the abundant supply of food fishes in the waters of the state.

Receiving of spawn and fry from the United States.

6. The taking of fish at all seasons from the public waters of the state for artificial propagation and stocking other waters of the state; provided, however, that no such fish shall be taken, except in the presence of and under the direction of the superintendent or his authorized agent, or by such superintendent or authorized agent himself, and in such instance such

Can take fish at all seasons from all public waters for artificial propagation.

superintendent or agent shall be provided with a tank or tanks of suitable size to keep such fish alive.

Shall report in January to the legislature biennially.

7. They shall report in January of each year to the legislature their transactions for the two preceding fiscal years ending the preceding thirtieth day of September.

Preservation of fish and game.

8. The preservation of game and fish and the enforcement of the laws therefor, and other measures taken to secure such preservation and protection.

Disbursement of funds.

9. The disbursement of any funds provided by law or collected pursuant to the provisions of this act, and applicable to the payment of the expenses of the employment and services of wardens or deputies appointed by the commissioners.

All other matters relating to the due execution of the law; may use a seal.

10. Such other matters as now are or may be committed to them by law with all powers necessarily incident to their due execution; and may have a seal which shall be used in authenticating documents, appointments, and certificates issued by them.

Set up fishways and signboards.

11. To cause to be set up on both sides of any stream, where a fishway is required by law to be maintained in any dam, a signboard containing the words, "All persons prohibited from fishing or taking fish within one hundred feet of the fishway," but the absence of such signboard shall not make such fishing or taking fish lawful.

May appoint and remove a superintendent of fisheries and assistant, salary.

SECTION 5. The commissioners of fisheries shall appoint and may remove at pleasure, a superintendent of fisheries at a salary not exceeding two thousand dollars per annum, and one assistant to be appointed at such salary as the board may fix. The commissioners may permit the superintendent or assistant or any employe to occupy such of the tenement houses at the hatcheries, and such grounds therewith as they deem reasonable. The duties of such superintendent shall be under the direction of the commissioners:

Duties of superintendent.

1. To superintend the receiving and hatch-

ing of spawn, its proper care and distribution, and the care of the property. Hatching spawn.

2. To direct the running and use of the fish car, and its care, repair and preservation. Fish car.

3. To care for the property of the several hatcheries, keep a proper inventory thereof, together with the cost of each article. Care of hatcheries.

4. To keep a careful account in detail and separately of the expenses of each of the hatcheries, the distribution of fish, and the collection of wild fish and their distribution, of maintaining and repairs upon the car, and of such improvements or repairs as may from time to time be ordered. For such expenses, when audited and allowed pursuant to the by-laws of the commission, he shall be reimbursed by the treasurer of the commissioners. Expenses of hatcheries; shall keep a detailed account.

5. To perform such other duties as may be prescribed by the commissioners. Other duties.

SECTION 6. The governor shall appoint, as provided in section 1, of chapter 436, of laws of 1891, by and with the approval of the senate, as soon as practicable after the passage of this act, a state fish and game warden, whose term of office shall be two years from the date of his commission. The salary of such fish and game warden shall be eighteen hundred dollars per annum, payable in monthly instalments by the state treasurer the same as salaries for other state officers are paid, upon warrant of the secretary of state. Such state fish and game warden shall in addition to such salary be paid his actual expenses incurred in the discharge of his duty, upon vouchers therefor filed with the secretary of state and approved by the governor. Such state fish and game warden shall also act as secretary to the commissioners of fisheries. The duties of the officer provided for by this section shall be as follows: Governor shall appoint a state fish and game warden. Salary. Shall act as secretary, duties defined.

1. To keep the records of the state fish commission, conduct its official correspondence and under the direction of the commissioners to collect information and statistics as to the fisheries and fish food resources of the state. Shall keep records.

To exercise the powers conferred on him by law.

2. As state fish and game warden to perform the duties and exercise the powers conferred by this act and by law, to perform or do any act or use any power or authority conferred by this act in section nine, and shall have the same rights, power and authority conferred by section two, of chapter 436, laws of 1891, upon the state fish and game warden therein mentioned.

And other duties as may be required

3. To perform such other duties as may be prescribed by the commissioners or devolved upon him by law.

Room at the capitol to be furnished, also stationery and blanks.

SECTION 6a. The commissioners shall be furnished a suitable room in the capitol for an office, suitable furniture therefor; and such office shall be for the use of their secretary. The superintendent of public property shall furnish sufficient stationery for the use of the commission and its secretary; and any printed blanks necessary for the use of the commission's secretary shall be supplied as is now furnished to the several departments of the government in the capitol.

GAME AND FISH WARDENS.

Game and fish wardens to be appointed.

SECTION 7. The commissioners of fisheries shall empower the secretary of the commissioners to appoint in the name of the commission and under its seal, such number of game and fish wardens as they deem necessary, not to exceed two in each county, to serve in the various parts of the state, who shall hold office during the pleasure of the commissioners, and be under the immediate direction and control of the secretary, as chief warden. He may also appoint, in like manner, any special warden upon the recommendation of any county board of supervisors, incorporated society or voluntary association, co-operating for the better enforcement of the fish and game laws of the state. The sheriffs, deputy sheriffs, constables, or other ministerial peace officers, in their respective jurisdictions shall have the same powers as are hereby conferred upon fish and game wardens;

Special wardens.

Powers of peace officers defined.

and in case of any proceedings instituted by one of them, he shall make report of the same to the secretary of the commissioners, and shall be paid as in case of other official duties performed by him in like prosecutions or actions. Any special wardens so appointed are hereby authorized to receive any reward or compensation offered by any incorporated or unincorporated association for the conviction of any violators of this or any other law of the state now or hereafter in force for the protection of fish, game or birds in this state.

Deputy game and fish wardens not to receive salaries.

SECTION 8. Such fish and game wardens appointed as herein provided shall receive no salary, and shall be entitled to the same fees as constables receive by law in criminal cases for like services and shall be paid in like manner; and shall also receive one-half the proceeds of all fines and forfeitures collected in prosecutions and actions in which they are informants or complainants; and for special services out of the contingent fund as hereafter provided.

Powers and duties defined.

SECTION 9. The powers and duties of such fish and game wardens shall be as follows:

Act as informers or complainants.

1. To act as informers or complainants in instituting prosecutions and actions to recover penalties for forfeitures for violations of this chapter, or any law of the state for the preservation or protection of fish, game or birds.

To investigate complaints, etc.

2. To investigate all complaints, to obtain all information in regard to alleged or suspected violations of this act or the laws of the state for the protection of fish, game and birds.

To serve and execute warrants.

3. To serve and execute all warrants or process of law issued by any court, justice or magistrate having jurisdiction of the offenses or violations of this or any act of the state for the protection of fish, game and birds.

To seize and destroy nets, etc.

4. To seize, remove and forthwith destroy any net, pound or other device found in the inland waters of this state or in the possession of any person or persons intending to use the same for fishing, or having removed or being in the act of removing the same from any of the waters where the fishing with nets or devices or

the setting of the same is prohibited or illegal under this act, or any law of the state, and which are declared to be public nuisances.

Make report to secretary.

5. To make report of their proceedings as often as the secretary, acting under the direction of the commissioners, shall require.

To enforce provisions of this act.

6. To enforce the provisions of this act, and to arrest all persons violating or attempting to violate any of the provisions of the same, which violations are punishable by fine or imprisonment.

To arrest without warrant.

7. To arrest without warrant any person found or caught by any of them in the act of violating or attempting to violate any of the provisions of this act which are made punishable by fine or imprisonment, and immediately take such person before some magistrate having jurisdiction of the offense in which such person is found, caught or engaged and thereupon enter complaint, and the same proceedings shall be had as if warrant had been duly issued for his arrest, but no person shall be arrested without a warrant for any such violation or attempted violation, when not engaged therein at the time of his arrest.

To make complaint for unlawful possession of game, fish or nets.

8. Whenever any game and fish warden or other officer having the powers thereof, shall have information and reason to believe that any person has in possession any fish, venison, duck, fowl or birds, which have been illegally killed, caught or taken, or any nets or other apparatus, the use of which is prohibited by this act and that such nets or apparatus have been, within six months prior to such complaint illegally used by the person in possession of the same, such warden or officer shall make complaint to some justice of the peace of the proper county, or other court having criminal jurisdiction over the territory where such property is, on oath, describing the articles so illegally in possession, above mentioned, and particularly the place where the same are, and setting forth the acts of illegal use as near as may be; and thereupon such justice or court

may forthwith issue a warrant for the search for and seizure, as other search warrants are issued; and upon it being judicially proved and adjudged that the said fish, venison, duck or birds were illegally caught, killed or taken, contrary to the provisions of this, or any act of this state, or that said nets or apparatus have been so illegally used the justice or court so adjudging may order the same to be disposed of or destroyed, as the case may seem to require.

May sell contraband game and fish.

9. To take possession of, in the name of the state, any fish, venison, birds, fowl or game, caught, taken or killed, had in possession contrary to the provisions of this act; and such fish, venison, birds, fowl or game are hereby declared contraband and shall be sold by the warden or his deputy to the highest bidder, and any one purchasing the same shall have the right to use the same as if the fish, venison, birds, fowl or game had been caught, taken or killed, or were possessed in accordance with the laws of this state, anything to the contrary notwithstanding; provided, that after the cost of sales the balance of the proceeds shall be paid into the state treasury to be credited to the general fund.

Reasonable expense of seizure to be audited and allowed.

SECTION 10. The reasonable expense of any seizure, removal or destruction of any nets, pounds, or other devices under this act shall be a charge upon the county in which the same is seized, and shall be audited, allowed and paid as other charges against such county are audited, allowed and paid. They shall be verified by the oath of the warden or officer by whom incurred with full statement of the time, place and destruction, the names of the persons employed therein, the time spent thereon and the money advanced, if any, and by whom. The expenses and a reasonable per diem may be paid, when incurred by any warden, out of any contingent fund, which may be provided by law for such purpose, for such special services as they may be directed by the secretary to perform.

WATERS OF THE STATE DEFINED.

"Outlying waters of the state."

SECTION 11. The waters of the state of Wisconsin, including Green Bay from the dam at De Pere on Fox river, Chequamegon bay, and that part of Lakes Michigan and Superior lying within the boundaries of the state are herein designated and referred to as the "outlying waters of the state."

"Private waters."

3. The term "private waters" applies to those ponds and streams exclusively owned by individuals and used for private hatcheries or ponds in which trout or other varieties of fish are artificially propagated, and without having heretofore received, nor hereafter receiving spawn or fry or other assistance from the commissioners of fisheries in stocking the same.

Outlying and inland waters and all streams when stocked to be public waters.

4. The outlying and inland waters of the state and all streams which have heretofore been stocked with trout, whether meandered as navigable or not, are deemed public waters, and the fish therein are public property and may be lawfully caught or taken by any person except as restricted or prohibited by this act or other provisions of law.

Sturgeon Bay, subject to special provisions.

5. The waters of Sturgeon Bay shall be subject to the following provisions: No pound, gill or fyke net or seine, or any other net or device for catching or trapping fish shall be used, except a dip net to be used for the purpose of catching minnows for bait, and by trolling hook or single hook and line; and it shall be unlawful to catch any fish in Sturgeon Bay by any other method than is authorized by this section. The waters of Sturgeon Bay shall be considered that portion lying south of a line drawn from the Sherwood Point lighthouse, said line running northeasterly to the shore, terminating southeast corner lot two (2), section eighteen, township twenty-eight, range twenty-six east in Door county, and including also the waters of Sawyer's harbor.

Detroit harbor defined.

6. The waters of Detroit harbor, which shall be construed to include that portion of water lying north and west of a line beginning at the

extreme southern point of lot number three (3), section fourteen (14), town number thirty-three (33) north, of range number twenty-nine (29) east, running thence easterly in a direct line to the extreme southern point of lot number two (2), section eighteen (18), town number thirty-three (33) north, of range number thirty (30), all in Door county, shall be subject to the following, viz.: It is unlawful and prohibited for any person for himself or another to set in the waters of Detroit harbor any set hooks, seine, pound, fyke, trap or gill net or any other device for catching, killing or taking any fish from the waters thereof, except with a hand dip net or minnow seine used exclusively for bait, and with trolling hook and line and single hook and line to be cast and used by hand.

Lake Superior unlawful to set certain kinds of nets.

7. It shall be unlawful for any person, for himself or another, to set or cause to be set in the waters of Lake Superior, on or near the main shore thereof, from the mouth of the Montreal river to the mouth of the St. Louis river, any pound net or seine.

REGULATIONS FOR THE OUTLYING WATERS OF THE STATE.

Regulations for outlying waters defined.

SECTION 12. It is hereby declared unlawful and prohibited, for any fish dealer or other person to have in his posssession in this state or to ship out of this state:

Size of whitefish.

1. Any whitefish of less than one and a half pounds round or undressed weight, or less than one pound dressed, taken from the outlying waters of the state.

Pike or black bass.

2. Any wall-eyed pike, yellow or sauger pike, or black bass of any variety of less than one pound round or undressed weight, which have been taken from the outlying waters of the state, or

White bass.

3. Any white bass of less than three-fourths of a pound round or undressed weight.

SECTION 13. It shall be unlawful for any person to set or cause to be set for himself or an-

Unlawful to set nets within one mile of shore of Lakes Superior and Michigan.

other, in the waters of Lake Superior anywhere within one mile of the main shore thereof from the mouth of the Montreal river to the mouth of St. Louis river and in the entire Chequamegon bay, any seine, pound or fyke net. It shall be unlawful to place any seine or gill net in the waters of Lake Michigan within one mile of the shore thereof from the south line of the state to the north line of Kewaunee county, Wisconsin.

Unlawful to set nets in Green Bay.

SECTION 14. It shall be unlawful to use any gill, fyke, pound, seine, dip or other net in the waters of Green Bay from the dam at De Pere on the Fox river to a line drawn one mile north from Long Tail Point lighthouse to Point Au Sauble, in Brown county, from the first day of April in each year to the first day of July following.

Unlawful to unload ship ballast, stone, cinders, etc., in outlying waters.

SECTION 15. It is unlawful and prohibited for any person to place in any of the outlying waters of this state, including Sturgeon Bay, which border upon land whose owners or occupants are engaged in fishing, any ship ballast, stone, sand, cinders, ashes, slabs, decayed wood, bark, or other obstruction, within one mile from the beach or shore where said waters form any part of the bays or lakes constituting such outlying waters. Or for any boat owner, master or other person in charge thereof to willfully or maliciously run into or molest any nets, traps or other fixtures lawfully set in said waters for fishing purposes. Or to throw into the outlying waters of this state, or bays thereof, or streams emptying therein, or to leave upon the ice therein until it melts, any fish offal, which shall be construed to mean the heads, intestines and blood of fish, and dead fish. The fact of a fisherman coming on shore with dressed fish and no offal in his boat, shall be prima facie evidence that he has violated this section.

Or to throw fish offal into the lakes.

REGULATIONS FOR THE INLAND WATERS.

SECTION 16. No person shall be allowed to set, place or use any gill, fyke, pound, seine, dip or other net or snare, or trap in any of the inland waters of the state of Wisconsin for the purpose of catching fish of any variety; provided, that the fish known as whitefish may be taken with a dip net between the first day of November and the eighth day of December in each year. The inland lakes, rivers and streams of the state shall be construed as meaning all the waters within the jurisdiction of the state, except lakes Superior and Michigan, Chequamegon Bay, Green Bay and Sturgeon Bay and Lake St. Croix. This act shall not prevent the catching of shiners, chubs, dace, suckers, sheepshead, dogfish, garfish, red-horse, sturgeon, catfish and bullheads in all rivers or streams by the use of dip nets or spears, during the daytime at any season of the year; but no dip net shall be used for such purpose in any stream of the state containing trout of any variety.

Nets not allowed except to catch whitefish. May be caught from Nov. 1st to Dec. 8th.

Dip nets and spears can be used for certain fish, except in trout streams.

THE IMPREGNATION OF TROUT EGGS.

SECTION 17. It shall be the duty of each person engaged in fishing in any of the outlying waters of this state between the twentieth day of October and the fifteenth day of November in each year, to take the eggs (if not already spawned) from the female trout caught by him, while alive, and the milt from the male trout, while alive, and to mix and, after mixing them together in a pail or pan so carefully that all the eggs may be impregnated, to throw them immediately into the water where the fish were taken.

Impregnation of trout eggs.

2. It shall also be the duty of any person employed in fishing in said outlying waters to take the eggs from all whitefish caught by him, between the first day of November and the twenty-fifth day of November, each year, while alive, and the milt from the male whitefish, while alive, and to mix and, after mixing them to-

White fish eggs to be impregnated by those employed in fishing for same.

gether in a pan or pail so carefully that all the eggs may be impregnated, to throw them immediately into the water where the fish were taken.

To deliver all kinds of fish to commissioner on demand.

3. It shall be the duty of any person engaged in fishing in any of the outlying waters of this state, to deliver on demand to the commissioners of fisheries, or to any one deputized by them or by their secretary in writing, all kinds of fish during the spawning season, from which spawn or milt can be taken, for the purpose of being stripped of their eggs and milt; and the person receiving them or placed in charge of them shall, immediately after having stripped the fish, return them to the person from whom received.

Authorized persons to have free access to docks, etc.

4. And such fishermen shall also permit such person authorized by this section, to enter their boats, docks, grounds or other places where such fish may be, for the purpose of stripping the same and to render such assistance as may be necessary to expedite the work of the mixture of milt and eggs for proper impregnation.

THE POLLUTION OF WATERS.

Unlawful to cast offal of fish into the lakes or bays.

SECTION 18. It is unlawful and prohibited—

1. To cast, deposit or throw overboard from any row, sail or steamboat or other craft into any of the inland waters of the state, or into Green Bay, Sturgeon Bay, or Chequamegon Bay, or to deposit or leave upon the ice thereof until it melts, any fish offal which shall be construed to mean and include the heads, intestines, blood, any cleanings of fish and dead fish. The fact of any fisherman coming to the shore with dressed fish in his boat and without the offal produced by such dressing, shall be prima facie evidence of violation of this section.

Or any lime, tan-bark or other deleterious substances.

2. To throw or deposit or permit to be thrown or deposited any lime, tan-bark, ship ballast, stone, sand, cinders, ashes, slabs or decayed wood, or other substances deleterious to fish life (authorized drainage and sewerage from munici-

palities excepted) into any of the rivers, lakes or streams of this state, including Green Bay, Chequamegon Bay, and Sturgeon Bay, or into any stream wherein the commissioners of fisheries have caused trout fry to be deposited, or in which brook trout naturally abound.

PUBLIC NUISANCES.

SECTION 19. The following are declared to be public nuisances: Public nuisances defined.

1. Any net of any kind prohibited by law, while set or found in any waters where such net is prohibited by law from being set or used. Any net prohibited by law.

2. All seines or other devices or contrivances set or found in any waters for catching fish in a manner prohibited by the laws relating to such waters. Seines and devices for catching fish.

3. All set lines, trout poles, ropes or cables, having more than one hook attached thereto, directly or indirectly, set in any waters contrary to law. Set lines, poles, etc.

4. Any net set for the ensnaring, entrapping or drowning of ducks, wild geese, or other water-fowl. Snares for wild fowl, etc.

5. Any traps, snares, spring-guns, or other devices or contrivances set for the purpose of trapping, ensnaring or killing any animals, birds or waterfowl, the trapping, ensnaring or killing of which is prohibited by law. Traps, spring-guns, etc., for killing animals.

6. Any boats, deer lamps, or lights while in use in the unlawful pursuit or hunting of deer. Boats, deer-lamps, etc.

7. Any pivot or swivel-gun or other fire-arms not held habitually at arm's length and discharged from the shoulder, while in use for the unlawful shooting of any animal, waterfowl, or birds. Pivots or swivel-guns.

8. Any screens set in public waters to prevent the free passage of fish in trout streams which have been stocked by the state commissioners of fisheries. Screens set in public waters.

9. All boats, floating rafts or boxes or blinds set in open water outside of the natural growth of grasses or rushes, in use for the unlawful pursuit, hunting or shooting of any duck, geese or Floating rafts, boxes or blinds for shooting ducks.

brant, and all decoys set for the unlawful decoying of such waterfowl during the close season therefor.

Illegal use of articles mentioned above will cause forfeiture and prosecution.

10. The illegal use of any of the articles mentioned in this section contrary to the provisions of this act, shall forfeit the same to the state; and in any prosecution for such illegal use of the same the court may, upon conviction, adjudge in addition to the fines and forfeitures by this act imposed, the forfeitures of such articles and issue a warrant commanding that such articles forfeited be destroyed.

Wardens and regular officers authorized to destroy any article declared to be a public nuisance.

SECTION 20. It shall be the duty of any warden, deputy-warden, sheriff, deputy-sheriff, constable, special warden, or other peace officer to destroy forthwith any article or thing declared hereby to be a public nuisance, when found or taken in the unlawful use, which according to this act makes the same a public nuisance; and no liability shall be incurred to the owner or any other person for such destruction; any other person than warden or officer finding such public nuisance is hereby authorized to destroy the same, and shall incur no liability therefor.

THE UNLAWFUL TAKING OR CATCHING OF FISH.

The kind of fish it is unlawful to catch or kill in close time.

SECTION 21. It is unlawful and prohibited to fish for, catch or kill with any device or in any manner, any of the kinds of fish mentioned in this section during the close season therefor, as prescribed by this act or any other law of the state:

Trout of all kinds.

1. Speckled or brook trout, California or rainbow trout, or mountain or brown trout, or any other variety of trout with which the streams of the state may have been stocked.

Bass, pickerel or wall-eyed pike.

2. White, black, mud, green or Oswego bass or pickerel or wall-eyed pike, but this clause does not apply to the lawful fishing for bass in the outlying waters of the state.

Close season for trout from Aug. 20. to Apr. 15.

The close season for the varieties of trout mentioned in this section begins in each year on the twentieth day of August and ends on the fifteenth day of April.

SECTION 22. It is unlawful and prohibited—

Prohibited modes of fishing.

1. To catch, kill or take any fish of any variety in any of the waters of this state by means of dynamite or other explosives.

Use of dynamite or other explosives.

2. To catch in any of the inland waters of this state, any fish by means of a set line, trot line or any wire, string, rope, or cable of any sort having thereto attached directly or indirectly more than one hook.

Use of set lines, trot lines and lines having more than one hook.

3. To catch fish of any variety in any of the inland waters of this state with any other device than a hook and line.

Any other device than hook and line

4. To fish through the ice in any of the inland waters with more than one hook and line.

Fishing through the ice with more than one hook and line.

5. To take, catch or kill any fish in any stream of water within one hundred feet of any fishway during the spawning season of fish in such waters, or have in possession or under control any fish so taken, killed or caught.

To catch or kill fish within 100 feet of any fishway.

6. To lay, use, set or prepare any drug, poison, line, medicated bait, fish berries, dynamite or other explosives or deleterious substance whatever in any of the outlying or inland waters of this state with intent thereby to kill, take or capture fish.

Drugs, poisons or explosives.

7. To lay, set, stretch, use or prepare any set line, trot line, or any wire, string, rope or cable of any sort whatever having thereto attached more than one hook, with intent thereby to take, catch or kill any fish.

Set lines with more than one hook.

8. To kill, capture or take by any device or in any manner in any of the inland waters of this state, any black bass, green bass, Oswego bass, white bass, pickerel, wall-eyed pike and muscallonge during the close season thereof, which begins on the first day of March and ends on the first day of June in each year, excepting as hereinafter provided.

Close season for bass, pickerel, wall-eyed pike and muscallonge from March 1st to June 1st.

THE UNLAWFUL PURSUING, CAPTURE, KILLING, OR TAKING OF DEER, BIRDS, WATERFOWL OR OTHER BIRDS.

SECTION 23. It is unlawful and prohibited—

Close season for deer from Nov. 21st to Nov. 1st in succeeding year.

1. To kill, capture or take by any kind of device or contrivance whatever, or to pursue with

intent to kill or to take or worry any deer, buck, doe or fawn, between the twenty-first day of November in each year and the succeeding first day of November in the year following; all the months of the year except the first twenty days of the month of November being hereby declared the close season, for the animals above named in this section; provided, however, that the killing, taking or worrying of any deer, buck, doe or fawn is hereby prohibited in the county of Sheboygan for the period of five years.

To hunt in night time or dogs—prohibited.

2. To hunt deer, buck or doe in the night time; or at any time with dogs.

Regarding the hunting of rabbits with dogs.

3. To use a dog or dogs to hunt rabbits during the time the law permits the hunting of deer; provided, that this subdivision shall not apply to the counties of Green, Dane, Rock, Walworth, Kenosha, Racine, Milwaukee, Waukesha, Jefferson, Ozaukee, Fond du Lac, Columbia, Winnebago, Calumet, Dodge, Washington, Iowa, Crawford, Grant, Manitowoc, Kewaunee and that portion of Door lying south of Sturgeon Bay and Lafayette.

Close season for quail, grouse, ducks of certain kinds from Dec 1 t to Aug. 20th in succeeding year.

4. To take, catch or kill any California quail, woodcock, quail, partridge, pheasant or ruffed grouse, prairie-hen or prairie-chicken, sharp-tailed grouse or grouse of any variety, mallard, teal or wood-duck, plover or snipe, between the first day of December in each year and the succeeding twentieth day of August in the following year.

Pheasants not to be killed for five years.

5. To take, catch or kill any Mongolian, Chinese or English pheasant, or any other variety of pheasants, for a period of five years. The shooting of ducks by aid of a light during the nighttime is hereby prohibited.

Close time for wild ducks, geese brant, from May 1st to Sept. 1st.

6. To take, catch or kill any wild duck of any variety or wild goose or brant between the first day of May and the succeeding first day of September.

Sneak boats, etc., not allowed.

7. To use in the pursuit of any duck, goose or brant or other aquatic bird, any sneak boat, raft or box of whatever description, which such boat, raft or box shall be in whole or in part

arranged so as in any manner to conceal the person or persons occupying the same.

Unlawful to use nets.

8. To catch any wild duck of any variety in any net, or to place any net in or upon any waters frequented by wild ducks of any variety, or under said waters.

Spring-guns, snares or traps prohibited.

9. To take, catch or kill or attempt to take, catch or kill, any of the animals, birds or waterfowl mentioned in this section by means of any snare, net, trap or spring-gun or similar contrivance, or to place, spread or set, or permit to be placed, spread or set, any such net, trap or snare or spring-gun or device for the purpose of catching such animals, birds or waterfowls.

Pivot or swivel gun prohibited.

10. To use in pursuit of any animals, fowls or birds any pivot-gun or swivel-gun or any other fire-arm not habitually held at arm's length and discharged from the shoulder.

Close time for otter, mink, etc., from May 1st to Oct. 1st.

11. To take, catch, kill or destroy otter, martin, mink or fisher, between the first day of May and the succeeding first day of October.

Killing or catching ornamental and song birds prohibited.

12. To catch or kill at any time or for any purpose whatever, except as authorized in this act, any whippoorwill, night hawk, bluebird, finch, thrush, lark, robin, turtledove, or any other harmless bird, except blackbirds and sparrows.

Carrier or homing pigeons not to be molested.

13. For any person not the owner thereof, or some person by him authorized to take, catch, kill, impede in its progress or otherwise interfere with any carrier or homing pigeon or pigeons.

THE UNLAWFUL POSSESSION OF FISH, GAME AND BIRDS.

Possession of game or birds in close time unlawful.

SECTION 24. It is unlawful and prohibited—

1. To have in possession or under control any varieties of fish, animals, game or birds for which a close season is prescribed by this act or by any law of the state now or hereafter in force, during the close season prescribed by law therefor (except alive), or any carcass of flesh thereof.

lation of this act. It shall be the duty of every person, whenever any animal, fish or game of any of the kinds, the taking, catching or killing of which is prohibited by law at any or all times (except during the periods in which the same may be lawfully taken, caught or killed) is offered to him for transportation out of this state, or any point or place within the state, to at once notify and give full particulars concerning such offer and by whom, to some member of the board of commissioners of fisheries or their secretary, or to some warden appointed by their secretary.

Twenty pounds of fish may be carried out of the state by owner.

4. To ship, carry or transport, or receive for shipment or transportation to any point or place out of this state, any fish taken in the inland waters of this state, excepting that when accompanying and having in his personal charge the owner of such fish may carry out of the state twenty pounds or two such fish, and excepting also trout raised in private hatcheries, as provided for in subdivision 1, of this section.

Two carcasses of deer, only allowed to each owner.

5. To transport any carcass or carcasses of deer, buck, fawn or doe, except when such carcass or carcasses are accompanied by the owner or owners thereof, and each such owner so accompanying shall not be entitled to more than two carcasses, as aforesaid, upon such trip.

Transportation of ducks prohibited from Dec 1st to Sept. 1st, succeeding.

6. To transport, ship or carry out of the state, to sell or offer for sale any ducks of any variety, snipe or plover, between the first day of December and the succeeding first day of September.

FISH, GAME, AND BIRDS TAKEN FOR SCIENTIFIC PURPOSES.

Fish, game and birds may be taken for scientific purposes.

SECTION 28. The commissioners of fisheries may grant under the seal of the commission, certificates to any member of an incorporated society of natural history, or to any professor of any university, school, or college or any person properly accredited by such institution,

certifying that such person or institution is authorized (is hereby for such purpose authorized) to collect for strictly scientific purposes only, the nests, eggs, animals, birds, and fish protected by this act or the laws of the state. No person to whom such certificate is issued or who acts under the same, shall dispose of any such specimens except in exchange for scientific purposes. Such certificates shall be issued only on satisfactory testimonials of well known scientific men.

Any attempt to violate deemed a violation.

SECTION 29. Any attempt to violate any of the provisions of this section shall be deemed a violation thereof.

Meaning of the act explained.

SECTION 30. All sections of this act relating to the having in possession or under control, or the sale, shipment, or transportation of any animal, fish, water-fowl, or bird, shall be construed to include any and all parts of the flesh and meat thereof.

Operation of hatcheries, etc., not effected by this act.

SECTION 31. The operation of state and public hatcheries in this state, the removal of fish which have died from natural causes from the waters of the state, the removal of deleterious fish, with the written consent and under the direction of the commissioners of fisheries, the propagation or transportation, collecting and transplanting of fish or fish fry by state or public authority, and the operation of private hatcheries, or propagation of fish in private waters and the transportation of fish therefrom in the manner directed by this act, are not affected or prohibited by this act, nor shall it affect the transportation of fish into or through the state or out of it by the commissioners of fisheries of other states, or of the United States.

Public enjoys privileges when state stock ponds, streams, etc.

SECTION 31a. The state fish commission or its agents or employes are prohibited from furnishing fish or fry from state hatcheries to private ponds, private clubs or corporations or preserves or waters where the public are not allowed the same rights and privileges enjoyed by any other person or persons.

[illegible] DEPUTY WARDENS FROM [illegible]

[illegible] performance of his or [illegible] and game warden and [illegible] wardens, whose appointment [illegible] by this act, he or they [illegible] from any and all liability to [illegible] whatsoever for acts done [illegible] or property destroyed under and [illegible] authority of the provisions of

[illegible] PERTAINING TO CERTAIN LOCALITIES [illegible] OR WATERS ONLY.

[illegible]. The provisions of this section [illegible] only to the waters of Lake de Neveu, [illegible] of Fond du Lac:

[illegible] unlawful to fish for, take or kill [illegible] in the said waters, by the [illegible] net or other means or de- [illegible] from a boat with hook and [illegible] fishing at nighttime by [illegible] prohibited.

[illegible] allowed to take or kill [illegible] pickerel or perch in [illegible] of October in each [illegible] following, and it [illegible] person to take or kill [illegible] or Oswego bass [illegible] than seven inches

[illegible] person of any traps, [illegible] this act specified, [illegible] be prima facie [illegible] such articles so [illegible] the person or per- [illegible] may be found.

[illegible] of this section [illegible] in and tributary [illegible] Kewaunee, Brown,

1. It shall be unlawful to set in the waters named, any fyke, gill, pound or hoop nets for the purpose of catching or killing wall-eyed pike, pickerel, perch or black bass.

Setting of nets prohibited.

SECTION 35. It shall be unlawful for any person or persons to set, place or use any gill, fyke, pound, seine or trap net for the purpose of taking or catching crabs in all rivers in Sheboygan county, and no person or persons shall catch or take any crabs in such rivers by the use of any such net or seine, excepting dip nets of not more than four feet in diameter.

Sheboygan county rivers—unlawful to set nets for crabs therein.

SECTION 36. The waters of Rush Lake, in the counties of Winnebago and Fond du Lac, are hereby exempted from the provisions of this act relating to regulations upon the methods or times of taking, catching or killing fish.

Rush Lake exempted from provisions of act.

SECTION 37. The provisions of this section shall apply only to the waters of Green Bay:

Relates only to Green Bay.

1. All persons owning or operating pound nets in the waters of Green Bay shall, during the nighttime, place at the extreme outer end of such pound net or nets owned or operated by them, a bright light, so as to indicate whereabouts of such nets to mariners, and to have said lights exhibited as long as pound net sticks remain in water.

Lights to be put out to mark location of nets.

2. All persons operating pound nets in the waters of Green Bay shall remove all pound net stakes (used or put in by them) at the close of the fishing season, so as to remove all obstruction to navigation.

Pound net stakes to be removed at end of season.

SECTION 38. It shall be lawful to take or catch any kind of fish, except trout, from the waters of the Pecatonica river in Iowa and La Fayette counties, with a hook and line at any time. But it shall be unlawful to take or catch any fish from the waters of said Pecatonica river at any time in any other manner than by hook and line.

Relates to Pecatonica river only.

SECTION 38a. It shall be unlawful to fish in the waters of Devil's lake, in the county of Sauk, by any means whatever, between the first day of March and the succeeding first day of July in each year.

Relates to Devil's Lake. Fishing prohibited from March 1st to July 1st succeeding.

COUNSEL TO ASSIST IN PROSECUTIONS.

Necessary counsel may be employed—when.

SECTION 39. The state fish and game warden is hereby empowered to appoint at such times and under such circumstances as shall seem to him to be necessary, counsel to assist the district attorney in the prosecution of cases arising under the provisions of this act, or in which the state fish and game warden or his deputies or any of them, shall be interested by reason of their position as such fish and game warden or deputy; and in case of the neglect or refusal of any district attorney to prosecute any case so arising, or when for other reason the state is not represented, such counsel so appointed by such state fish and game warden, may conduct the prosecution on behalf of the state. The compensation of such counsel shall be fixed by the state fish and game warden and paid out of the contingent fund hereinafter provided for the use of such state fish and game warden in the enforcement of the laws.

FINES AND FORFEITURES.

Relating to fines for violation of provisions of act.

SECTION 40. For violations of any of the provisions of this act the offender shall, on conviction thereof, be punished by fine or imprisonment, or both, as follows:

1. For violations of any of the provisions of sections eleven (11), twelve (12), thirteen (13), twenty-five (25), twenty-six (26), and twenty-eight (28), not less than twenty-five dollars nor more than one hundred dollars.

2. For violation of any of the provisions of sections fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), or subdivision three (3) of section twenty-three, not less than ten dollars nor more than one hundred dollars.

3. For violation of subdivisions four (4), five (5), six (6), seven (7) and nine (9) of section twenty-two (22), or any of the provisions of sections twenty-one (21) and twenty-five (25), not less than ten dollars nor more than one hundred

dollars; and for violations of subdivisions one (1), two (2), and three (3), and eight (8) of section twenty-two (22), not less than twenty-five dollars nor more than one hundred dollars.

4. For violation of subdivision five of section twenty-three (23), not less than twenty-five dollars nor more than fifty dollars; and for violation of subdivisions four (4), six (6), seven (7), nine (9), eleven (11), twelve (12), or fourteen of section twenty-three, or any or either of them, not less than ten dollars nor more than one hundred dollars.

5. For violation of subdivisions one (1), two (2), and eight (8) of section twenty-three (23), or any or either of them, not less than twenty-five dollars nor more than fifty dollars.

6. For violation of subdivision ten (10) of section twenty-three (23) not less than five dollars nor more than ten dollars for each offense.

7. For violation of section twenty-four (24), or any of the provisions thereof, not less than twenty-five nor more than one hundred dollars.

8. For violations of any of the provisions of section thirty-four (34) a fine of five dollars, or not exceeding thirty days in jail.

9. For violation of any of the provisions of section thirty-five (35), thirty-eight (38) and thirty-nine a (39a), or any or either of them, not less than five dollars nor more than fifty dollars.

10. For violation of any of the provisions of section thirty-six (36) not more than twenty dollars, nor more than twenty days' imprisonment in the county jail.

11. For violation of any of the provisions of section thirty-nine (39) not more than twenty-five dollars, nor more than thirty days in the county jail.

12. For violation of any of the provisions of this act for which a fine is not herein expressly provided, the fine shall be not less than ten dollars nor more than one hundred dollars.

13. For violation of any of the provisions of section twenty-seven (27) of this act, the of-

fender shall forfeit not less than twenty-five dollars nor more than one hundred dollars.

Term of imprisonment or fine at discretion of the court.

SECTION 41. In imposing any fine under the provisions of this act, the court may in its discretion, sentence the offender to imprisonment in the county jail of the proper county for a term of not less than thirty nor more than ninety days, or impose such imprisonment in lieu of fine; and in all cases the sentence and judgment shall include the cost of prosecution; and the provisions of section 4633, of the revised statutes as amended shall apply in such cases.

Statutory provisions to rule in action to recover forfeiture.

SECTION 42. In any action to recover forfeiture under this act, the provisions of chapter 143, of the revised statutes, entitled, "Of collection of forfeitures," shall be pursued as far as applicable, and except as herein otherwise provided for. The action shall be in the name of the state; and an appeal may be taken to the circuit or supreme court, when directed by the secretary of the commissioners of fisheries.

One-half of all fines and forfeitures to be paid to warden or other officer making complaint.

SECTION 43. One-half of all fines and forfeitures imposed and collected under this act, shall be paid to the warden or other officer who brings the complaint. The other half being the clear proceeds thereof, shall be paid by the justice or other officer collecting the same, as other fines and forfeitures are paid when collected, into the school fund.

This act to be printed in suitable form.

SECTION 44. The commissioners of fisheries shall cause to be published this act, and append thereto suitable forms for complaints, judgments, other proceedings and reports under this act; and the secretary of state shall order the same to be printed by the public printer in such manner in pamphlet form, as the commissioners may deem necessary.

REPORTS.

SECTION 45. Each person engaged in fishing in the outlying waters of the state, as a business, during the whole or any part of the year,

shall on or before the first day of December of such year report to the secretary of the commissioners of fisheries, or to some warden, the amount in pounds of all food fish caught by him during the year, the average price per pound, and such other information as is required by the blank furnished him for the purpose, which shall be in the following form:

Fishermen to make report to secretary of state commissioners of fisheries on or before Dec. 1.

Report

Of —— of fish caught during the season from December 1st, 18—, to November 30, 18—.

Form of report.

This report covers the fishing season from ——, 189—, to ——, 189—.

Description of Nets Used.

Kind.	Number.	Value.	Size of Mesh.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Species of Fish.	Pounds	Price per lb.	Total.
Whitefish	.....	.....	.....
Trout, lake	.....	.....	.....
Herring	.....	.....	.....
Bass	.....	.....	.....
Perch	.....	.....	.....
All other kinds	.....	.....	.....

I hereby certify that the foregoing statement is true.

Dated this —— day of ——, 18—, at ——, Wisconsin.

—— ——.

Penalty for not making report.

For failure to make such report, and for wilfully making a false report, such person shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars. On or before the last day of December of each year, the warden appointed pursuant to this act, and any sheriff or constable who has performed any duties under this act, shall make report to the secretary of the commissioners of fisheries of the action taken by him, the number of prosecutions commenced, the arrests made, the convictions had, the amount and date of fines and forfeitures collected, with such other information as the secretary may require, the same to be made on blanks furnished him for the purpose.

APPROPRIATION, CONTINGENT FUND, ETC.

Appropriation for salary, and expenses of commissioners.

SECTION 46. There is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, annually the sum of eighteen hundred dollars for the salary of the state fish and game warden; and there is also set apart in the state treasury a contingent fund of twenty-five hundred dollars, subject to the draft of the state fish and game warden, countersigned by the president of the fish commission, to be used when necessary in the enforcement of the laws for the protection of game and fish and for the special services of deputies, special counsel, and other expenses of similar, necessary character, to be paid upon sworn vouchers, and the expenses of the secretary shall also be paid in like manner out of any moneys in the general fund not otherwise appropriated.

Conflicting laws repealed.

SECTION 47. All laws of which this act is a revision, and all acts or parts of acts contravening the provisions hereof, are, so far as they conflict herewith, repealed; provided, however, this shall not repeal or affect chapter nine of the laws of Wisconsin for 1889.

SECTION 48. This act shall take effect and be in force from and after its passage and publication.

Approved April 16, 1895.

No. 258, S.] [Published April 16, 1895.

CHAPTER 221.

AN ACT to revise, amend and consolidate the laws of the state relating to game and its preservation, fish and the preservation and propagation thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

THE COMMISSIONERS OF FISHERIES.

SECTION 1. There is constituted a board of eight commissioners of fisheries, composed as follows, and to be styled, "The commissioners of fisheries:" [This chapter is the same as the preceding one except as indicated in side notes.]

1. The governor while in office.

2. Six commissioners to be appointed by him and with the consent of the senate.

3. The professor of zoology in the University of Wisconsin, for the time being, shall be ex-officio a member of said commission.

SECTION 2. The terms of appointment of the six members shall be six years and until their successors are appointed. The appointments shall be made by the governor and reported to the senate as soon as practicable, and in case the senate is not in session the commissioners appointed shall act from and after the date of appointment. And in the order in which vacancies upon the board of commissioners shall occur, the governor shall appoint one commissioner for one year; one for two years; one for three years; one for four years; one for five years; one for six years, and after such vacancies have been filled by such appointments in such order, the appointment of succeeding members of the commission shall be for the term of six years each. The terms of the present commissioners shall continue the same as if this act had not been passed. The governor

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shall fill all vacancies by appointment, the person so appointed to hold for the residue of the term only.

SECTION 3. The organization of the board shall be as follows: One of the number shall be chosen as president, and one as treasurer. The president, treasurer and secretary, as hereinafter provided for, shall constitute an executive committee of said board, which committee shall have power to act in all matters pertaining to fish and game in the absence of the board, under such restrictions, rules and regulations as may be prescribed by the by-laws adopted by such board. The secretary shall act as secretary of the board and keep its records. They may choose from their number such other officers as their by-laws provide for. They may make such by-laws as they may deem proper, not inconsistent with law, and meet at such times and places as they by their by-laws may prescribe, and appoint such committees and delegate to them such duties under the power and direction of the commissioners as they deem expedient. The commissioners shall receive no compensation, but each shall be reimbursed his expenses, certified by him with a statement of items to be actually and necessarily incurred in the performance of his official duty, out of such appropriation as may be made by the legislature, and no officer shall receive any compensation except such as is herein provided for.

SECTION 4. The commissioners of fisheries shall have general charge of the following public matters, and necessary powers therefor:

1. The propagation and breeding of fish, of such species and varieties as they deem of value to the people of the state.

2. The collecting and diffusion of such information as they deem useful in regard to the propagation and preservation of fish.

3. The government and control, supply and repair of the state hatcheries, the grounds used therefor whether owned or leased, the buildings, ponds, apparatus and all other property

belonging to or held by the state for the propagation of fish.

4. The purchase and establishment of new hatcheries in like manner, when appropriations shall be made by law to maintain the same.

5. The receiving from the commissioner of the United States or other persons, of all spawn or fry donated to the state or purchased, and in the most practical ways by exchange or otherwise, to procure, receive, distribute and dispose of spawn and fish, and to take such other measures as shall in their judgment best promote the abundant supply of food fishes in the waters of the state.

6. The taking of fish at all seasons from the public waters of the state for artificial propagation and stocking other waters of the state; provided, however, that no such fish shall be taken, except in the presence of and under the direction of the superintendent or his authorized agent, or by such superintendent or authorized agent himself, and in such instance such superintendent or agent shall be provided with a tank or tanks of suitable size to keep such fish alive.

7. They shall report in January of each year to the legislature their transactions for the two preceding fiscal years ending the preceding thirtieth day of September.

8. The preservation of game and fish and the enforcement of the laws therefor, and other measures taken to secure such preservation and protection.

9. The disbursement of any funds provided by law or collected pursuant to the provisions of this act and applicable to the payment of the expenses of the employment and services of wardens or deputies appointed by the commissioners.

10. Such other matters as now are or may be committed to them by law with all powers necessarily incident to their due execution; and may have a seal which shall be used in authenticating documents, appointments, and certificates issued by them.

11. To cause to be set up on both sides of any stream, where a fishway is required by law to be maintained in any dam, a signboard containing the words, "All persons prohibited from fishing or taking fish within one hundred feet of the fishway," but the absence of such signboard shall not make such fishing or taking fish lawful.

SECTION 5. The commissioners of fisheries shall appoint and may remove at pleasure, a superintendent of fisheries at a salary not exceeding two thousand dollars per annum, and one assistant to be appointed at such salary as the board may fix. The commissioners may permit the superintendent or assistant or any employe to occupy such of the tenement houses at the hatcheries, and such grounds therewith as they deem reasonable. The duties of such superintendent shall be under the direction of the commissioners:

1. To superintend the receiving and hatching of spawn, its proper care and distribution, and the care of the property.

2. To direct the running and use of the fish car, and its care, repair and preservation.

3. To care for the property of the several hatcheries, keep a proper inventory thereof, together with the cost of each article.

4. To keep a careful account in detail and separately of the expenses of each of the hatcheries, the distribution of fish, and the collection of wild fish and their distribution, of maintaining and repairs upon the car, and of such improvements or repairs as may from time to time be ordered. For such expenses, when audited and allowed pursuant to the by-laws of the commission, he shall be reimbursed by the treasurer of the commissioners.

5. To perform such other duties as may be prescribed by the commissioners.

SECTION 6. The governor shall appoint, as provided in seciotn 1, of chapter 436, of the laws of 1891, by and with the approval of the senate, as soon as practicable after the passage of this

act, a state fish and game warden, whose term of office shall be two years from the date of his commission. The salary of such fish and game warden shall be eighteen hundred dollars per annum, payable in monthly instalments by the state treasurer the same as salaries for other state officers are paid, upon warrant of the secretary of state. Such state fish and game warden shall in addition to such salary be paid his actual expenses incurred in the discharge of his duty, upon vouchers therefor filed with the secretary of state and approved by the governor. Such state fish and game warden shall also act as secretary to the commissioners of fisheries. The duties of the officer provided for by this section shall be as follows:

1. To keep the records of the state fish commission, conduct its official correspondence and under the direction of the commissioners to collect information and statistics as to the fisheries and fish food resources of the state.

2. As state fish and game warden to perform the duties and exercise the powers conferred by this act and by law, to perform or do any act or use any power or authority conferred by this act in section nine, and shall have the same rights, power and authority conferred by section two, of chapter 436, laws of 1891, upon the state fish and game warden herein mentioned.

3. To perform such other duties as may be prescribed by the commissioners or devolved upon him by law.

SECTION 6a. The commissioners shall be furnished a suitable room in the capitol for an office, suitable furniture therefor; and such office shall be for the use of their secretary. The superintendent of public property shall furnish sufficient stationery for the use of the commission and its secretary; and any printed blanks necessary for the use of the commission's secretary shall be supplied as is now furnished to the several departments of the government in the capitol.

GAME AND FISH WARDENS.

SECTION 7. The commissioners of fisheries shall empower the secretary of the commissioners to appoint in the name of the commission and under its seal, such number of game and fish wardens as they deem necessary, not to exceed two in each county, to serve in the various parts of the state, who shall hold office during the pleasure of the commissioners, and be under the immediate direction and control of the secretary, as chief warden. He may also appoint, in like manner, any special warden upon the recommendation of any county board of supervisors, incorporated society or voluntary association, co-operating for the better enforcement of the fish and game laws of the state. The sheriffs, deputy sheriffs, constables, or other ministerial peace officers, in their respective jurisdictions shall have the same powers as are hereby conferred upon fish and game wardens; and in case of any proceedings instituted by one of them, he shall make report of the same to the secretary of the commissioners, and shall be paid as in case of other official duties performed by him in like prosecutions or actions. Any special wardens so appointed are hereby authorized to receive any reward or compensation offered by any incorporated or unincorporated association for the conviction of any violators of this or any other law of the state now or hereafter in force for the protection of fish, game or birds in this state.

SECTION 8. Such fish and game wardens appointed as herein provided shall receive no salary, and shall be entitled to the same fees as constables receive by law in criminal cases for like services and shall be paid in like manner; and shall also receive one-half of the proceeds of all fines and forfeitures collected in prosecutions and actions in which they are informants or complainants; and for special services out of the contingent fund as hereafter provided.

SECTION 9. The powers and duties of such fish and game wardens shall be as follows:

1. To act as informers or complainants in instituting prosecutions and actions to recover penalties for forfeitures for violations of this chapter, or any law of the state for the preservation or protection of fish, game or birds.

2. To investigate all complaints, to obtain all information in regard to alleged or suspected violations of this act or the laws of the state for the protection of fish, game and birds.

3. To serve and execute all warrants or process of law issued by any court, justice or magistrate having jurisdiction of the offenses or violations of this or any act of the state for the protection of fish, game and birds.

4. To seize, remove and forthwith destroy any net, pound or other device found in the inland waters of this state or in the possession of any person or persons intending to use the same for fishing, or having removed or being in the act of removing the same from any of the waters where the fishing with nets or devices or the setting of the same is prohibited or illegal under this act or any law of the state, and which are declared to be public nuisances.

5. To make report of their proceedings as often as the secretary, acting under the direction of the commissioners, shall require.

6. To enforce the provisions of this act, and to arrest all persons violating or attempting to violate any of the provisions of the same, which violations are punishable by fine or imprisonment.

7. To arrest, without warrant any person found or caught by any of them in the act of violating or attempting to violate any of the provisions of this act, which are made punishable by fine or imprisonment, and immediately take such person before some magistrate having jurisdiction of the offense in which such person is found, caught or engaged and thereupon enter complaint, and the same proceedings shall be had as if warrant had been duly issued for his arrest, but no person shall be arrested

without a warrant for any such violation or attempted violation when not engaged therein at the time of his arrest.

8. Whenever any game and fish warden or other officer having the powers thereof, shall have information and reason to believe that any person has in possession any fish, venison, duck, fowl or birds, which have been illegally killed, caught or taken, or any nets or other apparatus, the use of which is prohibited by this act and that such nets or apparatus have been, within six months prior to such complaint illegally used by the person in possession of the same, such warden or officer shall make complaint to some justice of the peace of the proper county, or other court having criminal jurisdiction over the territory where such property is, on oath, describing the articles so illegally in possession, above mentioned, and particularly the place where the same are, and setting forth the acts of illegal use as near as may be; and thereupon such justice or court may forthwith issue a warrant for the search for and seizure, as other search warrants are issued; and upon it being judicially proved and adjudged that the said fish, venison, duck or birds were illegally caught, killed or taken, contrary to the provisions of this, or any act of this state, or that said nets or apparatus have been so illegally used, the justice or court so adjudging may order the same to be disposed of or destroyed as the case may seem to require.

9. To take possession of, in the name of the state, any fish, venison, birds, fowl or game, caught, taken or killed, had in possession contrary to the provisions of this act; and such fish, venison, birds, fowl or game are hereby declared contraband and shall be sold by the warden or his deputy to the highest bidder, and any one purchasing the same shall have the right to use the same as if the fish, venison, birds, fowl or game had been caught, taken or killed, or were possessed in accordance with the laws of this state, anything to the contrary notwithstanding; provided, that after the cost of

sales the balance of the proceeds shall be paid into the state treasury to be credited to the general fund.

SECTION 10. The reasonable expense of any seizure, removal or destruction of any nets, pounds, or other devices under this act shall be a charge upon the county in which the same is seized, and shall be audited, allowed and paid as other charges against such county are audited, allowed and paid. They shall be verified by the oath of the warden or officer by whom incurred with full statement of the time, place and destruction, the names of the persons employed therein, the time spent thereon and the money advanced, if any, and by whom. The expenses and a reasonable per diem may be paid, when incurred by any warden, out of any contingent fund, which may be provided by law for such purpose, for such special services as they may be directed by the secretary to perform.

WATERS OF THE STATE DEFINED

SECTION 11. The waters of the state of Wisconsin, including Green Bay from the dam at De Pere on Fox river, Chequamegon bay, and that part of Lakes Michigan and Superior and of the Mississippi river lying within the boundaries of the state are herein designated and referred to as the "outlying waters of the state." Mississippi river lying within boundaries of the state.

1. The term "private waters" applies to those ponds and streams exclusively owned by individuals and used for private hatcheries or ponds in which trout or other varieties of fish are artificially propagated, and without having heretofore received, nor hereafter receiving spawn or fry or other assistance from the commissioners of fisheries in stocking the same. This subsection is re numbered 1.

2. The outlying and inland waters of the state and all streams which have heretofore been stocked with trout, whether meandered as navigable or not, are deemed public waters, and the fish therein are public property and This subsection is re-numbered 2.

may be lawfully caught or taken by any person except as restricted or prohibited by this act or other provisions of law.

This subsection is re-numbered 3.

3. The waters of Sturgeon Bay shall be subject to the following provisions: No pound, gill or fyke net or seine, or any other net or device for catching or trapping fish shall be used, except a dip net to be used for the purpose of catching minnows for bait, and by trolling hook or single hook and line; and it shall be unlawful to catch any fish in Sturgeon Bay by any other method than is authorized by this section. The waters of Sturgeon Bay shall be considered that portion lying south of a line drawn from the Sherwood Point lighthouse, said line running northeasterly to the shore, terminating southeast corner lot two (2), section eighteen, township twenty-eight, range twenty--six east in Door county, and including also the waters of Sawyer's harbor.

This subsection is re-numbered 4.

4. The waters of Detroit harbor, which shall be construed to include that portion of water lying north and west of a line beginning at the extreme southern point of lot number three (3), section fourteen (14), town number thirty-three (33) north, of range number twenty-nine (29) east, running thence easterly in a direct line to the extreme southern point of lot number two (2), section eighteen (18), town number thirty-three (33) north, of range number thirty (30), all in Door county, shall be subject to the following, viz.: It is unlawful and prohibited for any person for himself or another to set in the waters of Detroit harbor any set hooks, seine, pound, fyke, trap or gill net or any other device for catching, killing or taking any fish from the waters thereof, except with a hand dip net or minnow seine used exclusively for bait, and with trolling hook and line and single hook and line to be cast and used by hand.

This subsection is changed to 5.

Unlawful to use gill or fyke net.

5. It shall be unlawful for any person, for himself or another, to set or cause to be set in the waters of Lake Superior, on or near the main shore thereof, from the mouth of the Mon-

treal river to the mouth of the St. Louis river, any pound, gill or fyke net or seine.

REGULATIONS FOR THE OUTLYING WATERS OF THE STATE.

SECTION 12. It is hereby declared unlawful and prohibited for any fish dealer or other person to have in his possession in this state or to ship out of this state:

1. Any whitefish of less than one and a half pounds round or undressed weight or less than one pound dressed, taken from the outlying waters of the state.

2. Any wall-eyed pike, yellow or sauger pike, or black bass of any variety of less than one pound round or undressed weight, which have been taken from the outlying waters of the state, or

3. Any white bass of less than three-fourths of a pound round or undressed weight.

SECTION 13. It shall be unlawful for any person to set or cause to be set for himself or another, in the waters of Lake Superior anywhere within one mile of the main shore thereof from the mouth of the Montreal river to the mouth of St. Louis river and in the entire Chequamegon bay, any seine, pound, gill or fyke net. It shall be unlawful to place any seine or gill net in the waters of Lake Michigan within one mile of the shore thereof from the south line of the state to the north line of Kewaunee county, Wisconsin.

SECTION 14. It shall be unlawful to use any gill, fyke, pound, seine, dip or other net in the waters of Green Bay from the dam at De Pere on the Fox river to a line drawn one mile north from Long Tail Point lighthouse to Point Au Sauble, in Brown county, from the tenth day of April in each year to the first day of July following. Time changed to tenth day of April.

SECTION 15. It is unlawful and prohibited for any person to place in any of the outlying waters of this state, including Sturgeon Bay,

which border upon land whose owners or occupants are engaged in fishing, any ship ballast, stone, sand, cinders, ashes, slabs, decayed wood, bark, or other obstruction, within one mile from the beach or shore where said waters form any part of the bays or lakes constituting such outlying waters. Or for any boat owner, master or other person in charge thereof to willfully or maliciously run into or molest any nets, traps or other fixtures lawfully set in said waters for fishing purposes. Or to throw into the outlying waters of this state, or bays thereof, or streams emptying therein, or to leave upon the ice therein until it melts, any fish offal, which shall be construed to mean the heads, intestines and blood of fish, and dead fish. The fact of a fisherman coming on shore with dressed fish and no offal in his boat, shall be prima facie evidence that he has violated this section.

REGULATIONS FOR THE INLAND WATERS.

SECTION 16. No person shall be allowed to set, place or use any gill, fyke, pound, seine, dip or other net or snare, or trap in any of the inland waters of the state of Wisconsin for the purpose of catching fish of any variety; provided, that the fish known as whitefish may be taken with a dip net between the first day of November and the eighth day of December in each year. The inland lakes, rivers and streams of the state shall be construed as meaning all the waters within the jurisdiction of the state, except Lakes Superior and Michigan, Chequamegon Bay, Green Bay and Sturgeon Bay, Lake St. Croix, and the Mississippi river. This act shall not prevent the catching of shiners, chubs, dace, suckers, sheepshead, dogfish, garfish, red-horse, sturgeon, catfish and bullheads in all rivers or streams by the use of dip nets or spears, during the daytime at any season of the year; but no dip net shall be used for such

Mississippi river also excepted.

purpose in any stream of the state containing trout of any variety.

THE IMPREGNATION OF TROUT EGGS.

SECTION 17. It shall be the duty of each person engaged in fishing in any of the outlying waters of this state between the twentieth day of October and the fifteenth day of November in each year, to take the eggs (if not already spawned) from the female trout caught by him, while alive, and the milt from the male trout, while alive, and to mix and, after mixing them together in a pail or pan so carefully that all the eggs may be impregnated, to throw them immediately into the water where the fish were taken.

2. It shall also be the duty of any person employed in fishing in said outlying waters to take the eggs from all whitefish caught by him between the first day of November and the twenty-fifth day of November, each year, while alive, and the milt from the male whitefish, while alive, and to mix and, after mixing them together in a pan or pail so carefully that all the eggs may be impregnated, to throw them immediately into the water where the fish were taken.

3. It shall be the duty of any person engaged in fishing in any of the outlying waters of this state, to deliver on demand to the commissioners of fisheries or to any one deputized by them or by their secretary in writing, all kinds of fish during the spawning season, from which spawn or milt can be taken, for the purpose of being stripped of their eggs and milt; and the person receiving them or placed in charge of them shall, immediately after having stripped the fish, return them to the person from whom received.

4. And such fishermen shall also permit such person authorized by this section, to enter their boats, docks, grounds or other places where such fish may be for the purpose of stripping

the same and to render such assistance as may be necessary to expedite the work of the mixture of milt and eggs for proper impregnation.

THE POLLUTION OF WATERS.

SECTION 18. It is unlawful and prohibited—

1. To cast, deposit or throw overboard from any row, sail or steamboat or other craft into any of the inland waters of the state, or into Green Bay, Sturgeon Bay, or into Chequamegon Bay, or to deposit or leave upon the ice thereof until it melts, any fish offal which shall be construed to mean and include the heads, intestines, blood, any cleanings of fish and dead fish. The fact of any fisherman coming to the shore with dressed fish in his boat and without the offal produced by such dressing shall be prima facie evidence of violation of this section.

2. To throw or deposit or permit to be thrown or deposited any lime, tan-bark, ship ballast, stone, sand, cinders, ashes, slabs or decayed wood, or other substances deleterious to fish life (authorized drainage and sewerage from municipalities excepted) into any of the rivers, lakes or streams of this state, including Green Bay, Chequamegon Bay, and Sturgeon Bay, or into any stream wherein the commissioners of fisheries have caused trout fry to be deposited, or in which brook trout naturally abound.

PUBLIC NUISANCES.

SECTION 19. The following are declared to be public nuisances:

1. Any net of any kind prohibited by law, while set or found in any waters where such net is prohibited by law from being set or used.

2. All seines or other devices or contrivances set or found in any waters for catching fish in a manner prohibited by the laws relating to such waters.

3. All set lines, trout poles, ropes or cables, having more than one hook attached thereto, directly or indirectly, set in any waters contrary to law.

4. Any net set for ensnaring, entrapping or drowning of ducks, wild geese, or other waterfowl.

5. Any traps, snares, spring-guns, or other devices or contrivances set for the purpose of trapping, ensnaring or killing any animals, birds or waterfowl, the trapping, ensnaring or killing of which is prohibited by law.

6. Any boats, deer lamps, or lights, while in use in the unlawful pursuit or hunting of deer.

7. Any pivot or swivel-gun or other fire-arms not held habitually at arm's length and discharged from the shoulder, while in use for the unlawful shooting of any animals, waterfowl, or birds.

8. Any screens set in public waters to prevent the free passage of fish in trout streams which have been stocked by the state commissioners of fisheries.

9. All boats, floating rafts or boxes, or blinds set in open water outside of the natural growth of grasses or rushes, in use for the unlawful pursuit, hunting or shooting of any duck, geese or brant, and all decoys set for the unlawful decoying of such waterfowl during the close season therefor.

10. The illegal use of any of the articles mentioned in this section contrary to the provisions of this act, shall forfeit the same to the state; and in any prosecution for such illegal use of the same the court may, upon conviction, adjudge in addition to the fines and forfeitures by this act imposed, the forfeitures of such articles and issue a warrant commanding that such articles forfeited be destroyed.

SECTION 20. It shall be the duty of any warden, deputy-warden, sheriff, deputy-sheriff, constable, special warden, or other peace officer to destroy forthwith any article or thing declared hereby to be a public nuisance, when found or taken in the unlawful use, which according to

this act makes the same a public nuisance; and no liability shall be incurred to the owner or any other person for such destruction; any other person than warden or officer finding such public nuisance is hereby authorized to destroy the same, and shall incur no liability therefor.

THE UNLAWFUL TAKING OR CATCHING OF FISH.

SECTION 21. It is unlawful and prohibited to fish for, catch or kill with any device or in any manner any of the kinds of fish mentioned in this section during the close season therefor, as prescribed by this act or any other law of the state:

1. Speckled or brook trout, California or rainbow trout, or mountain or brown trout, or any other variety of trout with which the streams of the state may have been stocked.

2. White, black, mud, green or Oswego bass or pickerel or wall-eyed pike, but this clause does not apply to the lawful fishing for bass in the outlying waters of the state.

3. The close season for the varieties of trout mentioned in this section begins in each year on the twentieth day of August and ends on the fifteenth day of April.

SECTION 22. It is unlawful and prohibited—

1. To catch, kill or take any fish of any variety in any of the waters of this state by means of dynamite or other explosives.

2. To catch in any of the inland waters of this state, any fish by means of a set line, trot line or any wire, string, rope, or cable of any sort having thereto attached directly or indirectly more than one hook.

3. To catch fish of any variety in any of the inland waters of this state with any other device than a hook and line.

New section regulating fishing in Mississippi river.

4. To use any pound or gill nets in the waters of the Mississippi river at any time; or to use any seines over two hundred feet in length in said waters between the first day of February and the succeeding first day of July.

5. To fish through the ice in any of the inland waters with more than one hook and line. Number changed to 5.

6. To take, catch or kill any fish in any stream or water within one hundred feet of any fishway during the spawning season of fish in such waters, or have in possession or under control any fish so taken, killed or caught. Number changed to 6.

7. To lay, use, set or prepare any drug, poison, line, medicated bait, fish berries, dynamite or other explosives or deleterious substance whatever in any of the outlying or inland waters of this state with intent thereby to kill, take or capture fish. Number changed to 7.

8. To lay, set, stretch, use or prepare any set line, trot line, or any wire, string, rope or cable of any sort whatever having thereto attached more than one hook, with intent thereby to take, catch or kill any fish. Number changed to 8.

9. To kill, capture or take by any device or in any manner in any of the inland waters of this state, any black bass, green bass, Oswego bass, white bass, pickerel, wall-eyed pike and muscallonge during the close season thereof, which begins on the first day of March and ends on the first day of June in each year, excepting as hereinafter provided. Number changed to 9.

THE UNLAWFUL PURSUING, CAPTURE, KILLING, OR TAKING OF DEER, BIRDS, WATERFOWL OR OTHER BIRDS.

SECTION 23. It is unlawful and prohibited—

1. To kill, capture or take by any kind of device or contrivance whatever or to pursue with intent to kill or to take or worry any deer, buck, doe or fawn, between the twenty-first day of November in each year and the succeeding first day of November in the year following; all the months of the year except the first twenty days of the month of November being hereby declared the close season, for the animals above named in this section; provided, however, that the killing, taking or worrying of any deer,

buck, doe or fawn is hereby prohibited in the county of Sheboygan for the period of five years.

2. To hunt deer, buck or doe in the night time; or at any time with dogs.

3. To use a dog or dogs to hunt rabbits during the time the law permits the hunting of deer; provided, that this subdivision shall not apply to the counties of Green, Dane, Rock, Walworth, Kenosha, Racine, Milwaukee, Waukesha, Jefferson, Ozaukee, Fond du Lac, Columbia, Winnebago, Calumet, Dodge, Washington, Iowa, Crawford, Grant, Manitowoc, Kewaunee and that portion of Door lying south of Sturgeon Bay, and Lafayette.

4. To take, catch or kill any California quail, woodcock, quail, partridge, pheasant or ruffed grouse, prairie-hen or prairie-chicken, sharp-tailed grouse or grouse of any variety, mallard, teal or wood duck, plover or snipe between the first day of December in each year and the succeeding 20th day of August in the following year.

5. To take, catch or kill any Mongolian, Chinese or English pheasant, or any other variety of pheasants, for a period of five years. The shooting of ducks by aid of a light during the night time is hereby prohibited.

6. To take, catch or kill any wild duck of any variety or wild goose or brant between the first day of May and the succeeding first day of September.

7. To use in the pursuit of any duck, goose or brant or other aquatic bird, any sneak boat, raft or box of whatever description, which such boat, raft or box shall be in whole or in part arranged so as in any manner to conceal the person or persons occupying the same.

8. To catch any wild duck of any variety in any net, or to place any net in or upon any waters frequented by wild ducks of any variety, or under said waters.

9. To take, catch or kill, or attempt to take catch or kill any of the animals, birds or waterfowl mentioned in this section by means of any

snare, net, trap or spring-gun or similar contrivance, or to place, spread or set, or permit to be placed, spread or set, any such net, trap or snare or spring-gun or device for the purpose of catching such animals, birds or waterfowls.

10. To use in pursuit of any animals, fowls or birds any pivot-gun or swivel-gun or any other fire-arm not habitually held at arm's length and discharged from the shoulder.

11. To take, catch, kill or destroy otter, martin, mink or fisher between the first day of May and the succeeding first day of October.

12. To catch or kill at any time or for any purpose whatever, except as authorized in this act, any whippoorwill, night hawk, bluebird, finch, thrush, lark, robin, turtledove, or any other harmless bird, except blackbirds and sparrows.

13. For any person not the owner thereof, or some person by him authorized to take, catch, kill, impede in its progress or otherwise interfere with any carrier or homing pigeon or pigeons.

THE UNLAWFUL POSSESSION OF FISH, GAME AND BIRDS.

SECTION 24. It is unlawful and prohibited—

1. To have in possession or under control any varieties of fish, animals, game or birds for which a close season is prescribed by this act or by any law of the state now or hereafter in force, during the close season prescribed by law therefor (except alive), or any carcass of flesh thereof.

2. To any keeper of a hotel, restaurant or boarding house to serve to his guests any such venison, birds, fish or game or [of] any kind during the close season therefor, unlawfully in his possession. The possession or having under control any bird, animal or fish of any of the kinds during the close season herein prescribed for such, except as in this act specified, shall be prima facie evidence that it was the property of

this state when taken, caught or killed, and that it was caught, taken or killed in this state unlawfully, and the burden of proof shall be upon the defendant in any prosecution or action for forfeiture, to prove the contrary.

3. For any employe of the fish commission, while engaged in catching and distributing wild fish from the pubilc waters for the purpose of artificial propagation, to have in his possession any other varieties of fish than those he has been directed to take by the superintendent of the fish commission or his agent duly authorized in writing.

THE UNLAWFUL SALE OF FISH, GAME AND BIRDS.

SECTION 25. It is unlawful and prohibited—

1. To sell or offer or expose for sale any fish, game or birds or venison, at any time after three days from the beginning of the close season prescribed therefor, respectively; and such sale, offer or exposure at any time after the expiration of three days shall be prima facie evidence of violation of this act.

2. To purchase any such fish, game or venison or birds or any or either of them during any period of a close season therefor respectively, after the first three days of such close season.

3. For any person, company or corporation to purchase or sell or offer or expose for sale, any whitefish, lake trout, or wall-eyed pike or sauger pike caught in the outlying waters of this state of less weight than is authorized by this act to be caught or taken in the outlying waters of this state, or to pack the same for shipping or sale in any manner whatever.

SECTION 26. It shall be the duty of any fish dealer or person engaged in the purchase of game of any kind, or fish of any kind, within this state, whenever any fish, animals or birds, the taking, catching, killing, or having in possession or under control of which is prohibited by this or any law of the state, to immediately no-

tify and give full particulars concerning such offer and by whom made, to some member of the board of commissioners of fisheries, game warden or some deputy or special deputy appointed by their secretary.

THE UNLAWFUL TRANSPORTATION OF FISH AND GAME.

SECTION 27. It is unlawful and prohibited for any person or corporation, or common carrier or any agent or servant thereof, for compensation or otherwise—

1. To transport any fish caught in the waters of this state of the varieties for which a close season is prescribed in this act or by law, during such close season (except the first three days thereof), but this section shall not prevent the shipment of trout raised in private hatcheries, of which the package or box shall be branded with an iron brand as follows: Shipped from the private hatchery of (here insert the name or the owner and the location of the hatchery).

2. To use the stamp or brand described in the preceding subdivision of this section in the shipment of any fish not raised in such hatchery.

3. To transport any of the animals, wild-fowl or birds, except alive, during the time which the killing, catching or taking of such animals, wild-fowl or birds is prohibited by this act, or by law. The possession of any such animals, fowl or birds during the close season therefor (except the first three days thereof) for shipment or in transit, shall be prima facie evidence of a violation of this act. It shall be the duty of every person, whenever any animal, fish or game of any of the kinds, the taking, catching or killing of which is prohibited by law, at any or all times (except during the periods in which the same may be lawfully taken, caught or killed) is offered to him for transportation out of this

state, or any point or place within the state, to at once notify and give full particulars concerning such offer and by whom, to some member of the board of commissioners of fisheries or their secretary, or to some warden appointed by their secretary.

4. To ship, carry or transport, or receive for shipment or transportation to any point or place out of this state, any fish taken in the inland waters of this state, excepting that when accompanying and having in his personal charge, the owner of such fish may carry out of the state twenty pounds or two such fish, and excepting also trout raised in private hatcheries, as provided for in subdivision 1, of this section.

5. To transport any carcass or carcasses of deer, buck, fawn or doe, except when such carcass or carcasses are accompanied by the owner or owners thereof, and each such owner so accompanying shall not be entitled to more than two carcasses, as aforesaid, upon such trip.

6. To transport, ship or carry out of the state, to sell or offer for sale any ducks of any variety, snipe or plover between the first day of December and the succeeding first day of September.

FISH, GAME AND BIRDS TAKEN FOR SCIENTIFIC PURPOSES.

SECTION 28. The commissioners of fisheries may grant under the seal of the commission certificates to any member of an incorporated society of natural history, or to any professor of any university, school, or college or any person properly accredited by such institution, certifying that such person or institution is authorized (is hereby for such purpose authorized) to collect for strictly scientific purposes only, the nests, eggs, animals, birds, and fish protected by this act or the laws of the state. No person to whom such certificate is issued or who acts under the same, shall dispose of

any such specimens except in exchange for scientific purposes. Such certificates shall be issued only on satisfactory testimonials of well known scientific men.

SECTION 29. Any attempt to violate any of the provisions of this section shall be deemed a violation thereof.

SECTION 30. All sections of this act relating to the having in possession or under control, or the sale, shipment, or transportation of any animal, fish, water-fowl, or bird, shall be construed to include any and all parts of the flesh and meat thereof.

THE ARTIFICIAL PROPAGATION OF FISH.

SECTION 31. The operation of state and public hatcheries in this state, the removal of fish which have died from natural causes from the waters of the state, the removal of deleterious fish, with the written consent and under the direction of the commissioners of fisheries, the propagation or transportation, collecting and transplanting of fish or fish fry by state or public authority, and the operation of private hatcheries, or propagation of fish in private waters and the transportation of fish therefrom in the manner directed by this act, are not affected or prohibited by this act nor shall it affect the transportation of fish into or through the state or out of it by the commissioners of fisheries of other states, or of the United States.

SECTION 31a. The state fish commission or its agents or employes are prohibited from furnishing fish or fry from state hatcheries to private ponds, private clubs or corporations or preserves or waters, where the public are not allowed the same rights and privileges enjoyed by any other person or persons.

RELEASE OF CHIEF AND DEPUTY WARDENS FROM LIABILITY.

SECTION 32. In the performance of his or their duties as chief fish and game warden and deputy fish and game wardens, whose appointments are authorized by this act, he or they shall be released from any and all liability to any person or persons whatsoever for acts done or committed or property destroyed under and by virtue of the authority of the provisions of this act.

No section 33. [No section 33.]

PROVISIONS APPLYING TO CERTAIN LOCALITIES OR WATERS ONLY.

Changed to 34. SECTION 34. The provisions of this section shall apply only to the waters of Lake de Neveu, in the county of Fond du Lac:

1. It shall be unlawful to fish for, catch, take or kill any fish (except carp) in the said waters, by the use of any trap, spear, net or other means or device except fishing from a boat with hook and line or angling; and fishing at nighttime by the aid of lights is prohibited.

2. No person shall be allowed to take or kill any black or Oswego bass, pickerel or perch in said waters from the first day of October in each year, to the first day of June following, and it shall be unlawful for any person to take or kill or have in their possession black or Oswego bass or pickerel at said lake less than seven inches in length.

3. The possession by any person of any traps, spear, nets or light or fish in this act specified, on, upon or at said lake, shall be prima facie evidence of the illegal use of such articles so prohibited by this section, by the person or persons in whose possession they may be found.

Changed to 35. SECTION 35. The provisions of this section shall apply only to the waters in and tributary to the counties of Door, Kewaunee, Brown, Oconto and Marinette.

1. It shall be unlawful to set in the waters named, any fyke, gill, pound or hoop nets for the purpose of catching or killing wall-eyed pike, pickerel, perch or black bass.

SECTION 36. It shall be unlawful for any person or persons to set, place or use any gill, fyke, pound, seine or trap net for the purpose of taking or catching crabs in all rivers in Sheboygan county, and no person or persons shall catch or take any crabs in such rivers by the use of any such net or seine, excepting dip nets of not more than four feet in diameter. Changed to 36.

SECTION 37. The waters of Rush Lake, in the counties of Winnebago and Fond du Lac, are hereby exempted from the provisions of this act relating to regulations upon the methods or times of taking, catching or killing fish. Changed to 37.

SECTION 38. The provisions of this section shall apply only to the waters of Green Bay: Changed to 38.

1. All persons owning or operating pound nets in the waters of Green Bay shall, during the nighttime, place at the extreme outer end of such pound net or nets owned or operated by them, a bright light, so as to indicate whereabouts of such nets to mariners, and to have said lights exhibited as long as pound net sticks remain in water.

2. All persons operating pound nets in the waters of Green Bay shall remove all pound nets stakes (used or put in by them) at the close of the fishing season, so as to remove all obstruction to navigation.

SECTION 39. It shall be lawful to take or catch any kind of fish except trout, from the waters of the Pecatonica river in Iowa and La Fayette counties, with a hook and line at any time. But it shall be unlawful to take or catch any fish from the waters of said Pecatonica river at any time in any other manner than by hook and line. Changed to 39.

SECTION 39a. It shall be unlawful to fish in the waters of Devil's Lake in the county of Sauk, by any means whatever, between the first day of March and the succeeding first day of July in each year. Changed to 39a.

COUNSEL TO ASSIST IN PROSECUTIONS.

Changed to 40. SECTION 40. The state fish and game warden is hereby empowered to appoint at such times and under such circumstances as shall seem to him to be necessary, counsel to assist the district attorney in the prosecution of cases arising under the provisions of this act, or in which the state fish and game warden or his deputies or any of them, shall be interested by reason of their position as such fish and game warden or deputy; and in case of the neglect or refusal of any district attorney to prosecute any case so arising, or when for other reason the state is not represented, such counsel so appointed by such state fish and game warden, may conduct the prosecution on behalf of the state. The compensation of such counsel shall be fixed by the state fish and game warden and paid out of the contingent fund hereinafter provided for the use of such state fish and game warden in the enforcement of the laws.

FINES AND FORFEITURES.

Changed to 41. SECTION 41. For violations of any of the provisions of this act the offender shall, on conviction thereof, be punished by fine or imprisonment, or both, as follows:

1. For violations of any of the provisions of sections 11, 12, 13, 25, 26 and 28, not less than twenty-five dollars nor more than one hundred dollars.

2. For violation of any of the provisions of sections 14, 15, 16, 17, 18, or subdivision three of section 23, not less than ten dollars nor more than one hundred dollars.

3. For violation of subdivisions four, five, six, seven and nine of section 22, or any of the provisions of sections 21 and 25, not less than ten dollars nor more than one hundred dollars; and for violations of subdivisions one, two and three, and eight of section 22, not less than twenty-five dollars nor more than one hundred dollars.

4. For violation of subdivision five of section 23, not less than twenty-five dollars nor more than fifty dollars; and for violation of subdivisions four, six, seven nine, eleven, twelve, or fourteen of section 23, or any or either of them, not less than ten dollars nor more than one hundred dollars.

5. For violations of subdivisions one, two, and eight of section 23, or any or either of them, not less than twenty-five dollars nor more than fifty dollars.

6. For violation of subdivision ten of section 23, not less than five dollars nor more than ten dollars for each offense.

7. For violation of section 24, or any of the provisions thereof, not less than twenty-five nor more than one hundred dollars.

8. For violations of any of the provisions of section 34, a fine of five dollars, or not exceeding thirty days in jail.

9. For violation of any of the provisions of sections 35, 38 and 39a, or any or either of them, not less than five dollars nor more than fifty dollars.

10. For violation of any of the provisions of section 36, not more than twenty dollars, nor more than twenty days' imprisonment in the county jail.

11. For violation of any of the provisions of section 39, not more than twenty-five dollars, nor more than thirty days in the county jail.

12. For violation of any of the provisions of this act for which a fine is not herein expressly provided, the fine shall be not less than ten dollars nor more than one hundred dollars.

13. For violation of any of the provisions of section 27 of this act, the offender shall forfeit not less than twenty-five dollars nor more than one hundred dollars.

SECTION 42. In imposing any fine under the provisions of this act, the court may in its discretion, sentence the offender to imprisonment in the county jail of the proper county for a term of not less than thirty nor more than Changed to 42.

ninety days, or impose such imprisonment in lieu of fine; and in all cases the sentence and judgment shall include the cost of prosecution; and the provisions of section 4633, of the revised statutes as amended shall apply in such cases.

Changed to 43. SECTION 43. In any action to recover forfeiture under this act, the provisions of chapter 143, of the revised statutes, entitled, "Of collection of forfeitures," shall be pursued as far as applicable, and except as herein otherwise provided for. The action shall be in the name of the state; and an appeal may be taken to the circuit or supreme court, when directed by the secretary of the commissioners of fisheries.

Changed to 44. SECTION 44. One-half of all fines and forfeitures imposed and collected under this act, shall be paid to the warden or other officer who brings the complaint. The other half being the clear proceeds thereof, shall be paid by the justice or other officer collecting the same, as other fines and forfeitures are paid when collected, into the school fund.

Changed to 45. SECTION 45. The commissioners of fisheries shall cause to be published this act, and append thereto suitable forms for complaints, judgments, other proceedings and reports under this act; and the secretary of state shall order the same to be printed by the public printer in such manner in pamphlet form, as the commissioners may deem necessary.

REPORTS.

Changed to 46. SECTION 46. Each person engaged in fishing in the outlying waters of the state, as a business, during the whole or any part of the year, shall on or before the first day of December of such year, report to the secretary of the commissioners of fisheries, or to some warden, the amount in pounds of all food fish caught by him during the year, the average price per pound, and such other information as is required by the blanks furnished him for the purpose, which shall be in the following form:

Report

Of —— of fish caught during the season from December 1st, 18—, to November 30, 18—.

This report covers the fishing season from ——, 189—, to ——, 189—.

Description of Nets Used.

Kind.	Number	Value.	Size of Mesh.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Species of Fish.	Pounds.	Price per lb.	Total.
Whitefish	.....	.....	.....
Trout, lake	.....	.....	.....
Herring	.....	.....	.....
Bass	.....	.....	.....
Perch	.....	.....	.....
All other kinds	.....	.....	.....

I hereby certify that the foregoing statement is true.

Dated this —— day of ——, 18—, at ——, Wisconsin. Signature, —— ——.

For failure to make such report, and for wilfully making a false report, such person shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars. On or before the last day of December of each year, the warden appointed pursuant to this act, and any sheriff or constable who has performed any duties under this act, shall make report to the secretary of the commissioners of fisheries of

the action taken by him, the number of prosecutions commenced, the arrests made, the convictions had, the amount and date of fines and forfeitures collected, with such other information as the secretary may require, the same to be made on blanks furnished him for the purpose.

APPROPRIATION, CONTINGENT FUND, ETC.

Changed to 47. SECTION 47. There is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, annually, the sum of eighteen hundred dollars for the salary of the state fish and game warden; and there is also set apart in the state treasury a contingent fund of twenty-five hundred dollars, subject to the draft of the state fish and game warden, countersigned by the president of the fish commission, to be used when necessary in the enforcement of the laws for the protection of game and fish and for the special services of deputies, special counsel, and other expenses of similar, necessary character, to be paid upon sworn vouchers, and the expenses of the secretary shall also be paid in like manner out of any moneys in the general fund not otherwise appropriated.

Changed to 48. SECTION 48. All laws of which this act is a revision, and all acts or parts of acts contravening the provisions hereof, are, so far as they conflict herewith, repealed; provided, however, this shall not repeal or affect chapter nine of the laws of Wisconsin for 1889.

Changed to 49. SECTION 49. This act shall take effect and be in force from and after its passage and publication.

Approved April 16, 1895.

No. 351, S.] [Published April 24, 1895.

CHAPTER 222.

AN ACT to authorize the city of Milwaukee to refund to the owners of property in blocks twenty-seven and twenty-eight, thirty-seven and thirty-eight, forty-three and forty-four, and part of blocks four and five in the Sixth ward of the city of Milwaukee, a sum of money equal to the amount levied for special assessment for the improving of Third street between Walnut and Harmon streets of said city.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to refund money for paving of Third street.

SECTION 1. The common council of the city of Milwaukee is hereby authorized upon satisfactory proof being made of payment, to refund to the owners of property in blocks twenty-seven and twenty-eight, thirty-seven and thirty-eight, forty-three and forty-four, and part of blocks four and five, in the Sixth ward of the city of Milwaukee, the special assessment levied against their property for the paving of Third street between Walnut street and Harmon streets in said ward, in the year eighteen hundred and ninety-two.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 304, S.] [Published Ap

CHAPTER 223.

AN ACT to protect all citizens in their nd legal rights.

The people of the state of Wisconsin, repre ated in senate and assembly, do enact as follows:

To protect citizens in the enjoyment of civil and legal rights at public places.

SECTION 1. That all persons within this state shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, restaurants, saloons, barber shops, eating houses, public conveyances on land and water, theaters, and all other places of public accommodation or amusement, subject only to the conditions and limitations established by law and applicable alike to all persons of every race and color.

Penalty for violating the law.

SECTION 2. That any person who shall violate the foregoing section or any part thereof, by denying to any person, except for reasons by law applicable alike to all persons, the full enjoyment of any of the accommodations, advantages, facilities or privileges enumerated in said section, or by aiding or inciting such denial, or by requiring any person to pay a larger sum than the regular rate charged by such person for such or any of such advantages, facilities, accommodations or privileges, shall for every such offense, be liable to the person aggrieved thereby, in a sum not less than five dollars, as damages, with costs, to be recovered in any court of competent jurisdiction in the county where said offense was committed, and shall also, for every such offense be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars, with costs, or shall be imprisoned in the county jail for not more than six months, or by both such fine and imprisonment; provided, however, that a judgment in favor of the party aggrieved or punishment

ı information filed, shall be a bar to rosecution respectively.

ON 3. This act shall take effect and rce from and after its passage and pub-

ɔved April 13, 1895.

No. 703, A.] [Published April 24, 1895.

CHAPTER 224.

AN ACT to amend section 1, of chapter 164, of the laws of 1891, relating to the time for holding the terms of court in the fifteenth judicial circuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Terms of court in fifteenth judicial circuit amended.

SECTION 1. Section 1, of chapter 164, of the laws of Wisconsin of 1891, is hereby amended to read as follows: Section 1. The several terms of the circuit court for the fifteenth judicial circuit shall be held on and after July 1, 1895, as follows: In the county of Ashland on the first Monday in January, the fourth Monday of April and the first Monday of September. In the county of Bayfield on the last Monday of May and the last Monday of October. In the county of Iron on the last Monday of June and the third Monday of November. In the county of Price on the second Monday of June and the third Monday of December. In the county of Sawyer on the third Monday of April and the third Monday of October. In the county of Taylor on the first Wednesday after the first Tuesday of April and the first Monday of October.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 590, A.] [Published April 24, 1895.

CHAPTER 225.

AN ACT to amend section 9, of chapter 255, of the laws of 1893, entitled, "An act to authorize and direct the state board of health to investigate and recommend a proper system of sewerage of the Menomonee and Kinnickinnic valleys in the county of Milwaukee, and to report thereon at the next session of the legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

System of sewerage to be recommended by state board of health.

SECTION 1. Section 9, of chapter 255, of the laws of 1893, is hereby amended so as to read as follows: Section 9. The county board of supervisors of Milwaukee county is hereby authorized and required to levy and appropriate out of any funds not otherwise appropriated, the sum of not exceeding ten thousand dollars for the purpose of carrying out the provisions of this act, which sum shall be deemed a part of the expense of the construction of such sewer system, and the same shall be repaid to the said county of Milwaukee, with interest thereon, at a rate not to exceed five per cent. per annum, secured by said county on its deposits out of the funds to be hereafter raised for the construction of such sewer system.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 323, S.] [Published April 25, 1895.

CHAPTER 226.

AN ACT to enable cities to cause streets to be sprinkled at the expense of abutting owners.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

To cause streets to be sprinkled at expense of abutting owners.

SECTION 1. Whenever there shall be presented to the common council of any city organized under any special laws of this state, a petition signed by the owners of a majority of the frontage upon any street or part of street in such city, praying that such street or part of street shall be sprinkled during a term in such petition to be set forth, not exceeding eight months, such common council may order such sprinkling to be done upon such requirements and in such manner as it shall establish; and shall assess the expense of such sprinkling to the owners of the property fronting upon such street or part of street in the same manner as other special charges, in proportion to the frontage of each owner's property thereon, excepting street crossings, which shall be paid for by such city.

Work to be let by contract.

SECTION 2. The common council of any such city may let to the lowest bidder, the contract for doing all sprinkling to be done pursuant of this act; which contract shall be awarded upon public notice to be published in some newspaper to be designated by such common council at least ten days prior to the date of awarding such contract. Such contract shall be in such form and with such conditions as such common council shall find to be convenient and just for carrying such work into effect.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 400, A.] [Published April 25, 1895.

CHAPTER 227.

AN ACT to amend chapter 167, of the laws of 1882, as amended by chapter 146, of the laws of 1885, and chapter 460, of the laws of 1887, relating to the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Board of pharmacy established—composition and term of office.

SECTION 1. Chapter 167, of the laws of 1882, as amended by chapter 146, of the laws of 1885, and as amended by chapter 460, of the laws of 1887, is hereby amended so as to read when amended as follows: There is hereby established a board of pharmacy of the state of Wisconsin. Such board shall consist of five resident pharmacists. The term of office of the members of said board shall be five years each, and until their successors have been duly appointed and qualified, so ordered that the term of one member of said board shall expire each year. Death, removal from state, or resignation of a member shall constitute a vacancy, which shall be filled for the remainder of the term by appointment as in the case of an expiration. Said board shall have the powers specified in this act.

Three pharmacists to be elected annually for recommendation to the governor.

SECTION 2. The Wisconsin Pharmaceutical Association shall annually elect three pharmacists for recommendation to the governor of the state. Upon the expiration of the term of office of any member of the board of pharmacy, or in case of vacancy on said board, the governor shall appoint a successor, or fill such vacancy by appointing a person who shall have been at some time recommended by said association.

SECTION 3. The said board shall hold an annual meeting in the month of March, the time and place of which shall be designated by the president and secretary of the board. At such annual meeting said board shall elect a president, secretary and treasurer, who shall hold office until the next annual meeting, and until their successors are elected and qualified; provided, that the board may appoint as secretary and treasurer some member not a member of the board. The said board shall have power to make by-laws for the government of the board, and for the proper execution of its duties. The board shall hold meetings for the examination of applicants for registration as pharmacists and assistant pharmacists, who shall be known as "Registered Pharmacists" and "Registered Assistant Pharmacists." Said meetings shall be held at least once in three months, and any business may be transacted at such meetings which pertains to the duties of the board. Thirty days' public notice of a meeting, when held for the purpose of examination, shall be given by said board. The board shall examine all applicants for registration when application shall be made in accordance with the by-laws of the board and with this act, and when applicants shall be found competent they shall be granted certificates of registration. The board shall grant certificates of registration and register such persons as may be entitled to the same under this act. They shall cause the prosecution of all persons violating any of the provisions of this act, shall report annually to the governor, and to the Wisconsin Pharmaceutical Association upon the condition of pharmacy in the state, which report shall also contain a record of the proceedings of the board for the year preceding, the receipts and disbursements of the board, the names of all persons registered as pharmacists, or assistant pharmacists. Three members of said board shall constitute a quorum. The secretary of said board shall keep a record of the proceed-

Annual meeting of the board to be in March. What proceedings shall be had. Duties of the board defined.

Examination of candidates.

ings of the board and shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this act, with the reason justifying their registration. Such books shall be prima facie evidence of what persons are registered pharmacists and registered assistant pharmacists in this state. The secretary shall receive a salary to be determined by the board, and his traveling and other expenses incurred in the performance of his official duties, and shall give such bond as the board shall from time to time direct. The other members shall receive the sum of five dollars for each day actually engaged in such service, with the necessary expenses incurred in attending meetings of the board. Such salary, compensation, expenses and other disbursements by the board shall be paid from the fees received by the board under this act and no part thereof shall be paid out of the state treasury. All moneys received by the state treasury. All moneys received by the board in excess of the disbursements made by the board shall be held by the treasurer as a fund from which to pay the expenses of the board.

ecretary to receive a salary and traveling and other expenses.

All persons now registered entitled to practice.

SECTION 4. All persons now registered as pharmacists by the board, shall be entitled to practice their profession in accordance with this act. The board shall hereafter issue certificates of registration, and register as pharmacists, those persons who shall be twenty-one years of age or over, and shall have had five years' practical experience in a drug store, wherein prescriptions of medical practitioners are compounded, and shall sustain a satisfactory examination before the board, and shall comply with the provisions of this act, and graduates of the several courses of the department of pharmacy of the University of Wisconsin, and of other universities and colleges giving like courses, shall be entitled to certificates of registration upon proof of two years' instead of five years' practical experience in a drug store, and upon sustaining like examinations

Conditions upon which certificates shall be issued.

and complying with the other provisions of this act. All of which facts shall be made to appear to the satisfaction of the board. Such persons as are now registered, or may hereafter be registered under this act, shall be entitled to practice their profession under such registration until the expiration of the time for the renewal thereof under this act, and upon failure to renew such registration, as herein provided, such registration shall cease and be invalid.

Renewals of certificates—How obtained.

SECTION 5. Every registered pharmacist who desires to continue the practice of his profession, shall annually, during the time he shall continue such practice, on such date as the board may determine, apply for the renewal of his registration and pay the fee herein provided for such renewal. If any registered pharmacist fails to procure a certificate of renewal for sixty days after the secretary of the board shall have mailed him a notice a second time of the expiration of his registration, he shall cease to be a registered pharmacist within the meaning of this act. Such person to again become a registered pharmacist shall proceed as required for an original registration.

Certificates to be issued to assistant pharmacist. Conditions of same.

SECTION 6. Said board shall issue a certificate and register such persons as registered assistant pharmacists, as shall have reached the age of eighteen years and have had two years' practical experience in drug stores, where prescriptions of medical practitioners are compounded, and shall pass a satisfactory examination before said board, and shall comply with the provisions of this act; all of which facts shall be made to appear to the satisfaction of the board. Every registered assistant pharmacist, who desires to continue the practice of pharmacy, as in this act provided, shall annually, during the time he shall continue such practice, on such date as the board may determine, apply for a renewal of his registration and pay the fee herein provided for such renewal. If any registered assistant pharmacist shall fail to take out a certificate of renewal for sixty days after the secretary of the board

shall have mailed him a second notice of the expiration of his registration, he shall cease to be a registered assistant pharmacist, within the meaning of this act. Such persons to again become registered assistant pharmacists, shall proceed as required for original registration.

Certificates to be conspicuously exposed.

SECTION 7. Every certificate of registration and the renewal thereof, which is in force, shall be conspicuously exposed in the pharmacy in which the pharmacist, to whom it is issued, practices. And if any registered pharmacist, or any registered assistant pharmacist, shall fail or neglect to so conspicuously expose such certificate, or renewal, he shall forfeit ten dollars for each and every such failure or neglect.

Fee for registration and renewal of same.

SECTION 8. Every person applying for registration shall pay the board a fee of five dollars at the time of making the application, and if the board shall for any reason refuse to register the applicant, three dollars thereof shall be refunded. Every person applying for renewal of a certificate of registration shall pay the board, at the time of making the application, such fee as may be fixed by the board, which fee shall not exceed the sum of two dollars.

Poisons to be sold by registered pharmacists except in cities and villages of less than 500 people.

SECTION 9. It shall be unlawful for any person to retail, compound or dispense drugs, medicines or poisons, except Paris Green put up in packages, labeled "Paris Green, Poison," or to institute or conduct any pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines or poisons in any town, city or village, having five hundred or more inhabitants, unless such person shall be a registered pharmacist, or shall employ and place in charge of such pharmacy, store or shop a registered pharmacist. And in case any person shall so retail, compound or dispense drugs, medicines or poisons, or shall so institute or conduct a pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines, or poisons, he shall forfeit forty dollars for each such offense. Any person who shall permit the compounding or dispensing of prescriptions.

or the vending of drugs, medicines or poisons in his store or place of business in a town, city or village having five hundred or more inhabitants, except by a registered pharmacist, shall forfeit fifty dollars for each such offense. It shall be unlawful for any person to retail, compound or dispense medicines, drugs or poisons, or to institute or conduct any pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines or poisons, in any town, city or village having less than five hundred inhabitants, unless such person shall be a registered pharmacist or registered assistant pharmacist, or shall employ and place in charge of such pharmacy, store, or shop, a registered pharmacist or registered assistant pharmacist, and in case any person shall so retail, compound or dispense, drugs, medicines or poisons, or shall institute or conduct any pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines or poisons, he shall forfeit fifty dollars for each such offense. Any person who shall permit the compounding or dispensing of prescriptions or the vending of drugs, medicines or poisons in his store or place of business in a town, city or village having less than five hundred inhabitants, except by registered pharmacists or a registered assistant pharmacist, shall forfeit fifty dollars for each such offense; provided, that under the personal supervision of a registered pharmacist, a registered assistant pharmacist may compound or dispense prescriptions and vend drugs, medicines or poisons without such forfeiture being incurred; and provided, that nothing herein shall be construed to in any manner interfere with any physician in regular practice from dispensing his own medicines or prevent him supplying his patients with such articles as may seem to him proper, or interfere with the making and vending of proprietary medicines in sealed packages with the name of the contents, the directions for using, and the name of the pharmacist registered in this state, or physician by whom prepared or compounded, thereon, nor

with the sale of the usual domestic remedies, or with the exclusively wholesale business of any dealer.

Penalty for fraudulent representation.

SECTION 10. Any person who shall wilfully make a fraudulent statement or representation to procure registration for himself, or for any other person, under this act, or who shall violate any provision of this act, for which a specific penalty or forfeiture is not provided, shall for each and every such offense forfeit the sum of fifty dollars.

Druggists are responsible for quality of drugs dispensed.

SECTION 11. Every owner or conductor of a drug store shall be responsible for the quality of all drugs, chemicals or medicines, sold or dispensed by him, except those sold in the original package of the manufacturer, and except those articles known as patent or proprietary medicines. And should any owner or conductor of a store intentionally and fraudulently adulterate, or cause to be adulterated, any drugs, chemicals or medical preparations sold in such store, he shall, for any and every such offense forfeit the sum of one hundred dollars, and if such person shall be a registered pharmacist, or a registered assistant pharmacist, his registration and certificate of registration may be, by said board, revoked and anulled; whereupon such person shall cease to be a registered pharmacist or registered assistant pharmacist.

Poisons to be distinctly labeled as such.

SECTION 12. No person shall sell or retail any poison commonly recognized as such, except Paris Green put up in packages and labeled "Paris Green, Poison," and especially aconite, arsenic and its preparations, belladona, biniodide of mercury, carbolic acid, chloral hydrate, chloroform, conium, corrosive sublimate, creosote, croton oil, cyanide of potassium, digitalis, hydrocyanic acid, morphine, nux vomica, oil of savin, oil of tansy, oil of bitter almonds, oil of cloves, opium, ovalic acid, opium and preparations of opium, phosphorus, sulphuric ether, strychnine, sugar of lead, sulphate of zinc, white precipitate, red precipitate, or any mixture containing enough of any of said poisons or of any combination of them sufficient to kill

a person taking the same, without affixing to the box, bottle, vessel or package containing the same, and to the wrapper or cover thereof, a label bearing the name "poison" distinctly shown, together with the name and place of business of the seller. And every person who shall sell or retail any such poison, shall keep in his place of business a book, in which shall be entered an accurate record of the sale of all poisons; such record shall contain the amount purchased, the date, for what purpose purchased and the buyer's name and address. This record shall be at all times, during ordinary business hours, subject to the inspection of the district attorney of the county in which such store is located, or of any authorized agent of said board. Any person failing or neglecting to comply with any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction be punished by a fine not exceeding fifty nor less than five dollars.

Actions to recover penalties—how instituted.

SECTION 13. All actions for the recovery of the several forfeitures or penalties prescribed in this act, may be instituted in any court, having jurisdiction thereof, by any member of the board, and the members of said board are specially directed to institute such action. It shall be the duty of the district attorney, of the county wherein such forfeitures or penalties are incurred, to prosecute all persons incurring any forfeiture or penalty when notified of the same, by said board, or any officer or agent thereof. Upon complaint made to any justice of the peace by any member of said board, showing that forfeiture has been incurred under this act, and that such justice of the peace has jurisdiction of an action therefor, such justice of the peace shall issue process thereon, as provided by statute, for the collection of forfeitures.

Present board to continue as constituted.

SECTION 14. The Board of Pharmacy, of the State of Wisconsin, as at present constituted, shall continue with all of the powers and duties with which the board is invested by this act. The present members of said board shall hold

their office for the term for which they have been heretofore appointed, respectively, as designated in their appointment. The present officers of said board shall hold their respective offices until the expiration of the time for which they have been elected. The rules, regulations, by-laws and acts of said board shall continue in force and effect.

Repealing clause.

SECTION 15. All acts or provisions regulating the practice of pharmacy and the sale of poisons within this state, enacted prior to the passage of this act, are hereby repealed.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 144, A.] [Published April 17, 1895.

CHAPTER 228.

AN ACT to create a municipal court in and for Vilas county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Municipal court for Vilas county created.

SECTION 1. There is hereby created and established in and for the county of Vilas a municipal court, with the powers and jurisdiction hereinafter specified and provided.

Date of election of judge and term of office.

SECTION 2. On the first Tuesday in April, 1895, and every four years thereafter, there shall be elected in the county of Vilas in the same manner as county judges are elected, one municipal judge, who shall hold his office for the term of four years from the first Monday of May next following his election, and until his successor is elected and qualified; and in case of vacancy occurring in the office of municipal

judge the vacancy shall be filled by appointment by the governor, and the person appointed to fill such vacancy shall continue in office for the residue of the term for which his predecessor was elected or appointed. Provided that upon the passage and publication of this act, the office of judge of said court shall be deemed to be vacant and shall be filled by appointment as herein provided.

None eligible except attorney of a court of record.

SECTION 3. No person shall be eligible to the office of judge of said municipal court, except an attorney of a court of record, and such judge shall hold no other county office during the term for which he is elected.

Shall take constitutional oath before entering upon duties of office.

SECTION 4. The municipal judge before entering upon the duties of said office shall take and subscribe the constitutional oath of office, and file the same, duly certified, in the office of the clerk of the circuit court for said county, and execute to the said county a bond in the sum of one thousand dollars, with two or more sureties to be approved by the county treasurer of said county, and recorded and filed as provided in section 702, of the revised statutes, conditioned for the faithful performance of the duties required of him by law, and for the faithful application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office.

Office to be held at county seat.

SECTION 5. The judge of the municipal court of the county of Vilas shall hold his office at the county seat of said county in a suitable room for such purpose to be provided by the board of supervisors of said county.

Jurisdiction of the judge defined—practice.

SECTION 6. The municipal judge of the county of Vilas shall have cognizance of, and jurisdiction to hear, try and determine, all actions and proceedings at law, wherein the amount of debt, damages, demand, penalty or forfeiture, shall not exceed the sum of five hundred dollars, actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars. Said munici-

pal judge shall have and exercise within said county the criminal jurisdiction of justices of the peace in the state of Wisconsin. Said judge shall further have all the jurisdiction, authority, powers and rights, given by law to justices of the peace, and shall be subject to the same prohibitions and penalties as justices of the peace. The proceedings and practice of said court shall in all respects be governed, as far as practicable, by the laws relating to justices' courts of this state, and transcripts of the judgments of the municipal court, may be filed and docketed with the clerk of the circuit court for said county, with the same effects as transcripts of judgments rendered by justices of the peace of said county may be, and appeals, civil and criminal, from said court may be taken in the same manner and with like effect, as are provided by law from courts of justices of the peace. Nothing herein contained shall be construed to give said municipal judge cognizance of any actions mentioned in subdivisions 1, 2, and 3 of section 3573, of chapter 154, of the revised statutes.

May exercise all the powers of a court commissioner.

SECTION 7. The municipal judge of Vilas county shall have and may exercise in his county, all the powers and perform all the duties of a court commissioner as defined in section 2434, of the revised statutes; and every authority granted to, or limitation of the powers of a court commissioner by the laws of Wisconsin, shall be construed to extend to the said municipal judge acting in such capacity, except when otherwise expressly provided. The official designation of said officer in matters where he shall so act shall be "municipal judge of Vilas county."

Judgment by confession may be entered.

SECTION 8. Judgment by confession may be entered before the judge of the municipal court for the county of Vilas, in any sum not exceeding five hundred dollars, without action, either for money due or to become due, or to secure any person against contingent liability on behalf of the defendant, or both, if a statement in writing

be made, signed by the defendant, and verified by his oath to the following effect:

Must state amount for which judgment may be entered.

1. It must state the amount for which judgment may be entered and authorize the entry of judgment therefor by the municipal judge of said court.

Where money is due or to become due.

2. If it be the money due, or to become due, it must state concisely the fact out of which it arose, and must show that the sum confessed therefor is justly due or to become due.

For the purpose of securing plaintiff.

3. If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the fact constituting the liability, and must show that the sum confessed does not exceed the same.

County judge may sit as municipal judge.

SECTION 9. In case of sickness, absence or temporary disability of said municipal judge, he may, by an order in writing, to be filed in said court, appoint the county judge of said county to discharge the duties of said judge during such sickness, absence or disability, who shall have the same powers of said judge while administering such office.

How proceedings or action may be removed from the court.

SECTION 10. No action, examination or other proceeding shall be removed from said court, but when previous to joining issue in any action or before the commencement of any examination, it shall appear by affidavit that the municipal judge is interested pecuniarily in the action, examination or other proceeding, or that said judge is a material witness, or is within the forbidden degree of consanguinity, or from prejudice will not decide impartially in the matter, the municipal judge shall notify the county judge of the county of Vilas, to hear said examination or other proceeding, as the case may be; whereupon it shall be the duty of said county judge to forthwith appear at the court room of said municipal court, and to discharge the duties of judge of said municipal court on the trial of said case, or the hearing of said examination, or other proceeding, in the same manner and with like effect as said municipal judge would, if not disqualified to act, and the

doings of said magistrate when presiding over said municipal court, shall have and be of the same force and effect as like proceedings of said municipal judge, and when said action, examination or other proceeding is concluded, a like record, as in other like cases, shall be made in said court, and thereafter and thereupon execution may be issued as in other cases tried before said municipal judge. Said magistrate, while presiding over said municipal court, shall receive from said municipal judge the sum of one dollar and twenty-five cents for every half day.

Trial by jury same as in justices' courts.

SECTION 11. Trial by jury may be had in said court in the same manner and process as in justices' courts.

Peace officers.

SECTION 12. Sheriffs and constables of Vilas county shall have the same power to serve and execute process of this court as of justices' courts, and shall be entitled to receive the same fees as in justices' courts.

Two dockets shall be kept.

SECTION 13. The judge of said court shall keep one docket for criminal trials and proceedings, and a separate docket for civil actions, and all docket entries and process shall be made and kept in the same manner, as far as applicable to this court, as the same are required to be kept by justices of the peace under the laws of this state. Provided, always, that the municipal judge may, in civil actions, sign in blank, summonses, writs, and other civil process, and deliver the same to attorneys and courts of record, to be issued by them. Such attorneys, upon issuing such summons, writ, or other process, shall subscribe the same, and shall file within twenty-four hours thereafter the affidavit, if any, upon which such summons, writ or other process was based, and a statement of the names of the parties to the action, the date of the summons, writ, or other process, the time when the same is returnable, and the nature of the demand or claim. Thereupon said judge shall forthwith docket said case, which docket entries shall have the same force and effect as

May sign summonses, etc.

if made at the time of issuing the summons, writ, or other process.

SECTION 14. The salary of said municipal judge shall be five hundred dollars per year, and shall be paid out of the county treasury as the salaries of other county officers are paid, and shall be in full for all services rendered by said court in criminal cases. The same fees in all actions, civil and criminal, that are now allowed by law to justices of the peace, it shall be lawful for said municipal judge to charge and collect, and one dollar in addition thereto, for every civil action or proceeding in his court. The fees so charged and collected in civil actions shall be retained by said municipal judge for his compensation therein. On the first day of November in each year, said municipal judge shall pay over to the treasurer of said county all fines paid him, imposed under the laws of this state, and all of the aforesaid fees collected by him in criminal actions since the first day of November of the preceding year, taking said county treasurer's duplicate receipt therefor, one of said receipts shall be filed in the office of the county clerk of said county. And said municipal judge shall file with said county clerk on said day, a statement, verified by his affidavit, of all fines and municipal court fees received by him in each criminal action in which any such fines or fees have been paid since the first day of November of the preceding year, together, with the statements required by other magistrates by section 679, and section 680, of the revised statutes as amended.

Salary of judge $500 per year.

Lawful fees he may collect and retain.

Fines to be paid over annually to county treasurer.

SECTION 15. In all actions in the municipal court for the county of Vilas, attorney's fees shall be allowed to the prevailing party as provided in section 3775, of the revised statutes.

Attorney's fees to be allowed to prevailing party.

SECTION 16. All needful stationery and all blanks required by said court in criminal actions and examinations, and the judge's dockets, required by law, shall be furnished at the expense of Vilas county.

All needful stationery and blanks to be furnished by county.

SECTION 17. It shall be lawful for the municipal judge to call in a phonographic reporter

May employ a phonographic reporter.

skilled in the art of shorthand reporting, to take testimony in any action, examination or other proceeding in the municipal court, and the reporter's notes so taken may be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, said reporter, when requested by the appellant, shall file a transcribed copy of his notes verified by his oath which shall be returned as the testimony in the case, and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as part of the judge's fees in the case. Said reporter shall receive such compensation for taking testimony as shall be fixed by the municipal judge not exceeding three dollars per day for each day's actual attendance and two dollars for each half day's attendance on said court, which amount shall be taxed as costs in the case. In all criminal trials and proceedings said fees and per diem shall be certified, audited and paid out of the county treasury monthly; fees per diem shall be certified and audited by the certificate of the municipal judge, showing the title of the case and the amount due said phonographic reporter for services therein. Section 2439, of the revised statutes shall apply to said reporter and said court.

SECTION 18. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 64, A.] [Published April 25, 1895.

CHAPTER 229.

AN ACT to amend sub-section 4, of section 715, chapter 37, of Sanborn and Berryman's annotated statutes, entitled, "Of county officers."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Sub-section 4, of section 715, of Sanborn and Berryman's annotated statutes of Wisconsin, is hereby amended by striking out all of said section after the word "officers" in the twelfth line thereof, and inserting in lieu thereof the following: "and to make a full itemized statement and report to the county board on the first day of the annual meeting, and at such other times as they may direct, in writing, verified by his oath, of all moneys, records and disbursements of whatsoever nature, and his vouchers to be audited and allowed, and settle with them his official accounts as treasurer; and shall exhibit to them all moneys in his custody, or under his control as such treasurer; and make oath, if required, that such moneys are the funds of the county;" so that said sub-section when so amended shall read as follows: Sub-section 4. To keep a true and correct account of the receipt and expenditure of all moneys which shall come into his hands by virtue of his office, in books kept therefor, specifying the date of every receipt or payment, the person from or to whom the same was received or paid, and the purpose of each particular receipt or payment; and also in like manner a separate account of all fees received by him, and a separate account of all moneys by him received for taxes paid to him, and a separate account of money received upon redemption of lands from sales thereof, for non-payment of taxes, further specifying in the two

County treasurer to make full itemized statement of all moneys, records and disbursements to county board on first annual m et-ing.

last accounts the description of the property on account of which such money was paid; which books shall be open at all times to the inspection of the county board or any member thereof, and to all the county and state officers, and to make a full itemized statement and report to the county board on the first day of the annual meeting, and at such other times as they may direct, in writing, verified by his oath, of all moneys, records and disbursements of whatsoever nature, and his vouchers to be audited and allowed, and settle with them his official accounts as treasurer, and shall exhibit to them all moneys in his custody, or under his control as such treasurer, and make oath if required that such moneys are the funds of the county.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 41, A.] [Published April 25, 1895.

CHAPTER 230.

AN ACT to amend section 1, of chapter 306, of the laws of the state of Wisconsin for the year 1882, relating to special powers of the county board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County board may erect soldiers' monuments

SECTION 1. Section 1, of chapter 306, of the laws of Wisconsin for the year 1882, is hereby amended so as to read as follows: Section 670 of the revised statutes is hereby amended by adding thereto subdivision 13, which shall read as follows, to wit: 13. To appropriate a sum of

money not to exceed ten thousand dollars for the erection and construction of a suitable monument or memorial building to the memory of the deceased soldiers; provided, no appropriation for said purpose shall be made unless the question whether a tax for the same may be levied and collected is submitted to and agreed to by the voters of the county, in the same manner as is provided for towns, cities and villages in section 937, of chapter 41, of the revised statutes.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 78, A.] [Published April 20, 1895.

CHAPTER 231.

AN ACT to revise and amend chapter 239, of the laws of 1887, chapter 71, of the laws of 1891, and chapter 65, of the laws of 1893, entitled, "An act to create a municipal court for the county of Lincoln," and acts amendatory thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 239, of the laws of 1887, chapter 71, of the laws of 1891, and chapter 65, of the laws of 1893, entitled, "An act to create a municipal court for the county of Lincoln" and acts amendatory thereof, are hereby revised and amended by substituting in lieu thereof the following provisions. Lincoln county municipal court bill amended.

SECTION 2. There is hereby created and established in and for the county of Lincoln a municipal court with powers and jurisdiction here- Municipal court established.

inafter specified and provided, and the judge thereof shall be known and styled "municipal judge."

Date of first election and term of office.

SECTION 3. On the first Tuesday of April, 1887, and every four years thereafter, there shall be elected in the county of Lincoln, in the same manner as county judges are elected, one municipal judge, who shall hold his office for the term of four years from the first Monday in May next following his election, and until his successor is elected and qualified; and in case of vacancy occurring in the office of municipal judge the vacancy shall be filled by appointment by the governor, and the person so appointed to fill such vacancy shall continue in office for the residue of the term for which his predecessor was elected or appointed.

Attorney of a court of record only eligible to office.

SECTION 4. No person shall be eligible to the office of municipal judge except an attorney of a court of record.

Must take the constitutional oath.

SECTION 5. The municipal judge before entering upon the duties of his said office, shall take and subscribe the constitutional oath of office and file the same, duly certified, in the office of the clerk of the circuit court of said Lincoln county, and execute a bond to said county in the penal sum of three thousand dollars, with two or more sureties to be approved by the county clerk of said county, and to be recorded and filed as provided in section 702, of the revised statutes, conditioned for the faithful performance of the duties required of him by law, and for the faithful application and payment of all moneys and effects that may come into his hands in the execution of the duties of his office.

Must hold his office at the county seat.

SECTION 6. The municipal judge of Lincoln county shall hold his office at the county seat of said county, in some suitable room in the city of Merrill, in said county, provided by the board of supervisors of said county.

Jurisdiction, powers and duties of the court defined.

SECTION 7. The municipal court of the county of Lincoln, and the municipal judge thereof, shall have cognizance of, and jurisdiction to hear, try and determine all actions and

proceedings at law, except actions wherein the title to real property shall come in question, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars, actions founded on an account when the same shall be reduced to an amount not exceeding five hundred dollars by credits given, or by the set-off or demand of the opposite party, actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars, and all charges for offenses arising within said county, and which are not punishable by commitment to state's prison, offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Merrill, said county, and shall have power to sentence and commit all persons convicted of any offense of which he has jurisdiction. Said judge shall have power and jurisdiction throughout the county, to cause to have come before him persons who are charged with having committed any criminal offense, and commit them to jail or bind them over as the case may require. Said judge shall further have all the jurisdiction, authority, powers and rights given by law to justices of the peace, together with the power and right in his discretion to charge the jury upon written charges submitted by the parties, and said judge shall be subjected to the same prohibitions and penalties as justices of the peace. The proceedings and practice in said court shall, in all respects, be governed as far as practicable, by the law relating to justices' courts of this state, and transcripts of judgments of the municipal court may be filed and docketed with the clerk of the circuit court of said county, with the same effect as may be transcripts of judgments rendered by justices of the peace of said county, and appeals from said court, in all cases, may be taken in the same manner and with like effect as are provided by law from justices' courts.

Limit of judgment to be stated.

SECTION 8. A judgment by confession may be entered by the judge of said court in any sum not exceeding one thousand dollars, without action, either for money due or to become due, or to secure any person against contingent liability on behalf of the defendant, or both, if a statement be made in writing, signed by the defendant, and verified by his oath to the following effect:

Amount of judgment by confession.

1. It must state the amount for which judgment may be entered, and authorize the entry of judgment therefor by the judge of said court.

If for money due or to become due to so state.

2. If it be for money due, or to become due, it must state concisely the fact out of which the indebtedness arose and must show that the amount confessed therefor is justly due or to become due.

If to secure plaintiff against contingent liability to so state.

3. If it be for the purpose of securing the plaintiff against a contingent liability, it must state concisely the facts constituting the contingent liability, and must show that the sum confessed does not exceed the same.

County judge to sit in case of absence of municipal judge.

SECTION 9. In case of the absence, sickness or disability of the municipal judge, he may by a written order, to be copied in his docket, appoint the county judge of Lincoln county to discharge the duties of municipal judge during such absence, sickness or disability, and the county judge so appointed, shall have and exercise all the duties, powers and jurisdiction of the municipal judge, as conferred by this act, while administering said office, and shall receive the same compensation, to be paid in like manner.

Removals, where to be made.

SECTION 10. No action or examination shall be removed from the municipal court of Lincoln county to any justice court of Lincoln county; but removals may be had from the municipal court to the county court of Lincoln county, upon like proceedings had as are now required by law in removal of causes in justices' courts, and upon payment to said municipal judge, in addition to the amount prescribed by law, his taxable fees to the time of removal; and if the defendant recover judgment in the action, he

shall be allowed to tax the amount paid to the municipal judge, as disbursements.

Transmission of cases from justices' to the municipal court.

SECTION 11. Whenever any action, examination or proceeding shall be removed from any justice of the peace in the county of Lincoln, upon the oath of the defendant, his agent or attorney, according to the provisions of law for such removal, if such defendant, his agent or attorney, requests in writing to such justice that the action, examination or proceeding and all the papers therein be transmitted to the municipal court of Lincoln county, such justice of the peace shall forthwith transmit such action, examination or proceeding and all the papers therein, together with a copy of his docket, to the municipal court, and said court shall, upon receipt thereof, proceed with such action, examination or proceeding in the same manner as if originally instituted in the municipal court; provided, that no action, examination or proceeding shall be removed to the municipal court from any justice court in the city of Tomahawk, in said county, without the consent of the plaintiff.

Jury trials the same as in justices' courts.

SECTION 12. Jury trials may be had in the same manner and process as in justices' courts; provided, that the fees of jurors in municipal court shall be one dollar per day and four cents per mile travel in coming to and returning from said trial.

Officers of the peace of said court.

SECTION 13. Sheriffs and constables of Lincoln county shall have the same power to serve and execute process as of justices' courts, and shall be entitled to the same fees, and shall be subject to the same liabilities and penalties as in justices' courts.

Two dockets to be kept, what each shall contain.

SECTION 14. The municipal judge shall keep one docket for criminal trials, examinations and proceedings, one docket for civil actions and a separate docket for the trial of offenses against the city charter and ordinances of the city of Merrill, in said county. In all civil actions, and in all criminal trials, examinations and proceedings in said court under this act, the docket entries and process shall be made, kept and filed

in the same manner, as far as applicable to the county court, as the same are required to be kept by justices of the peace under the laws of this state; in the trial of offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Merrill, in said county, the forms to be used, and the docket entries, process and proceedings, as far as the same shall be applicable to the municipal court, shall be substantially the same as required by chapter 6 of the city charter, and by the ordinances of the city of Merrill; provided, that in all civil actions, said judge may sign in blank, summons and other process and deliver the same to attorneys of courts of record throughout the county, to be issued by them as occasion may require, and upon the filing of said summons or other process at any time before the day on which the same is made returnable, said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing such summons or other process; provided, further, that no summons or other process issued by an attorney at law under the provisions of this act shall be valid unless said attorney shall endorse thereon his name, or the name of the firm of which he is a member, which endorsement shall be substantially in the following form: "Issued by A. D., attorney-at-law;" provided, further, that all process, except subpoenas, shall be made returnable at nine o'clock a. m., of the return day, and when any action, examination or proceeding in the municipal court shall be adjourned or continued to a day certain, it shall be set for trial at nine o'clock a. m., of the day to which the same has been adjourned or continued, unless otherwise agreed to by the parties; and at the hour above specified, the parties shall proceed to the trial of the case without delay, unless the same shall be adjourned or continued by the court, for cause shown, and upon such terms as may be just and equitable.

Fees of municipal judge.

SECTION 15. In all actions, examinations or proceedings in the municipal court, under this

act, the municipal judge shall have and receive the same fees as are now allowed by law to justices of the peace for like services, and the sum of one dollar in addition thereto for every criminal action, examination or proceeding in the municipal court; provided, that where a phonographic reporter shall be called to take testimony in any action, examination or proceeding in the municipal court, the municipal judge shall be allowed the sum of six dollars per day for each day's actual attendance, and three dollars for each half day's attendance on such action, examination or proceeding, which sum shall be taxed as costs in the case, and paid in like manner as provided by this act for the payment of the phonographic reporter.

Pay of phonographic reporter.

SECTION 16. In all actions in the municipal court, under this act, an attorney's fee shall be allowed to the plaintiff, if he recover judgment, as follows: If the judgment does not exceed twenty-five dollars, the sum of two dollars and fifty cents; if the judgment exceeds twenty-five dollars and does not exceed one hundred dollars, a sum equal to ten per cent. of the judgment; if the judgment exceeds one hundred dollars and does not exceed two hundred dollars, ten dollars on the first hundred dollars and five per cent. on the balance of the judgment; if the judgment exceeds two hundred dollars, fifteen dollars on the first two hundred dollars and two and one-half per cent. on the balance of the judgment. In case judgment shall be for the defendant, he shall receive the same attorney's fee, and the amount claimed by the plaintiff shall be the basis for computing the same. In actions of replevin, the value of the property as proved shall govern the amount of attorney's fee in case judgment is for the plaintiff, and the value of the property as claimed shall govern the amount of attorney's fee in case judgment is for the defendant. In any case not herein provided for, a reasonable attorney's fee may be allowed in the discretion of the court; provided, that no attorney's fee shall exceed the sum of twenty-five dollars; and

When attorney's fees shall be allowed.

provided further, that no attorney's fee shall be allowed unless the prevailing party shall appear in the action by an attorney of a court of record.

May call in a phonographic reporter.

SECTION 17. It shall be lawful for the municipal judge to call in a phonographic reporter, skilled in the art of shorthand reporting, to take testimony in any action, examination or proceeding in the municipal court, and the reporter's notes, so taken, may be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, said reporter, when requested by the appellant, shall file a transcribed copy of his notes, verified by his oath, which shall be returned as the testimony in the case; and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as part of the judge's fees in the case. Said reporter shall receive such compensation for taking testimony as shall be fixed by the municipal judge, not exceeding three dollars per day for each day's actual attendance, and two dollars for each half day's attendance on said court, which amount shall be taxed as costs in the case. In all cases wherein the county shall become liable for the costs, said fees and per diem shall be certified, audited and paid out of the county treasury monthly, upon filing with the county treasurer the certificate of the municipal judge showing the title of the case and the amount due said phonographic reporter for services therein. The sum per diem paid to the municipal judge, and to the phonographic reporter shall be in lieu of the fees allowed by law to justices of the peace for taking testimony therein. Section 2439 of the revised statutes shall apply to said reporter and said court.

Stationery and blanks to be furnished by county of Lincoln and city of Merrill.

SECTION 18. All needful stationery and blanks required by said court in the trial of civil and criminal cases, and the dockets required by law in such cases, shall be furnished at the expense of Lincoln county; the docket, stationery and blanks required by said court

in the trial of offenders against the city charter and ordinances of the city of Merrill, said county, shall be furnished at the expense of said city.

SECTION 19. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 700, A.] [Published April 17, 1895.

CHAPTER 232.

AN ACT to appropriate money to certain persons therein named for expenses incurred as representatives of the legislature of the state of Wisconsin in attending a convention held in St. Paul, Minnesota, to consider means for the extermination of the Russian thistle.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$50 appropriated for legislative representatives to Russian thistle convention.

SECTION 1. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for expenses incurred by Charles T. Fisher and Frank L. Fraser, as representatives of the legislature of the state of Wisconsin in attending the convention held in St. Paul, Minnesota, to consider means for the extermination of the Russian thistle, the sum of twenty-five dollars each.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 156, S.] [Published April 25, 1895.

CHAPTER 233.

AN ACT to amend section 1463, of Sanborn and Berryman's statutes of Wisconsin, relating to agricultural societies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to agricultural societies. Conditions upon which the money may be paid.

SECTION 1. Section 1463, of Sanborn and Berryman's statutes of Wisconsin, is hereby amended by striking out in the thirteenth line of said section the words "five hundred" and inserting in lieu thereof the words "one thousand," so that said section, when so amended, shall read as follows: Section 1463. There shall be paid annually, within ten days after the first day of February, out of the state treasury, to each organized agricultural society and industrial association, other than state agricultural society, which shall have substantially complied with the conditions hereinafter named, forty per cent. of the total amount of premiums paid by such society during the preceding year; provided, that no agricultural society or industrial association having received from the state for the year 1888, the sum of two hundred dollars and ten per cent. on the amount paid for premiums, shall receive less than two hundred dollars; provided, that percentage shall not be paid on more than three thousand dollars in premiums to one association; and provided further, that in computing the amount on which such percentage is to be paid as aforesaid, there shall not be included more than one thousand dollars of premiums paid for trials or exhibitions of speed of all classes in any one year.

First. It shall have held an annual fair or exhibition during the previous year.

Second. Shall present to the secretary of state a sworn statement of the president and

secretary that said society, at its annual fair held during the year for which its appropriation was made, had prohibited and excluded from its fair grounds and all adjacent lands under its authority, all gambling devices whatsoever.

Third. Shall have received into its treasury in cash during the preceding year not less than two hundred dollars from the sale of memberships, admission tickets, subscriptions and other sources than from the state.

Fourth. Shall have, by its executive committee or secretary, made and published in some newspaper in the county a condensed statement of its principal acts and doings for the year, setting forth a list of its officers, its principal meetings, a report of its fair, showing the number of its entries, the amount of money received, the amount paid for premiums and for other purposes, and a full statement of the entire receipts and disbursements of the society for the year, showing whence all sums were received, and to whom paid, such report to be verified by the oath of the secretary; and one certified copy thereof, shall be deposited with the secretary of state, and one with the secretary of the state agricultural society, on or before the first day of February in each year. Such sum of money shall be paid to, or on order of the treasurer of the society, and only upon the receipt of the proper treasurer of each society entitled thereto, countersigned by the secretary thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 677, A.] [Published April 25, 1895.

CHAPTER 234.

AN ACT to authorize Frank E. Cook to erect and maintain a dam on the middle branch of the Peshtigo river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to construct a dam.

SECTION 1. Frank E. Cook, his heirs and assigns, are hereby authorized to construct and maintain a dam across the middle branch of the Peshtigo river in Forest county, Wisconsin, on sections twenty-eight and thirty-three of township thirty-seven, range thirteen east, for manufacturing and other purposes, and to erect and maintain such piers, booms and other improvements as may be necessary or convenient for holding, storing and arresting logs, timber or ties. Said dam, booms and piers shall be so constructed, maintained and operated as to obstruct as little as possible the free navigation of said river for log driving purposes.

Flowage rights.

SECTION 2. The said Frank E. Cook, his heirs and assigns, for the purpose of acquiring the land necessary for flowage rights to successfully carry out the provisions of this act, may exercise all the powers granted to corporations by section 1777, of the revised statutes, and the acts of the legislature amendatory thereto.

SECTION 3. The right to repeal or amend this act is hereby reserved.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 226, A.] [Published April 25, 1895.

CHAPTER 235.

AN ACT to establish a board of immigration.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There shall be a board of immigration in this state which shall be composed of five members who shall receive no compensation for their services rendered under this act and who shall annually make report of their doings to the secretary of state, and which office shall terminate January 1, 1897. Board of immigration established.

SECTION 2. The governor and secretary of state shall be ex-officio members of the board and the other members shall be appointed by the governor, but not more than two shall be appointed from the same congressional district. Members of the board.

SECTION 3. The board shall have power to appoint in such counties as it may deem expedient a committee consisting of three members to assist the board of immigration in the performance of its duties, which shall act under instructions of said board. Board may appoint a committee in certain counties.

SECTION 4. It shall be the duty of this board to enhance and encourage immigration to this state. To encourage immigration.

SECTION 5. This board shall have the authority to provide for the collection of statistics and useful information concerning climate, soil, product, population and agricultural, mineral and other resources and advantages of this state and for the printing and dissemination of the same in such languages as it may deem necessary. May collect statistics and print the same.

SECTION 6. The board of immigration shall have power to appoint a secretary of its board, who shall be paid a reasonable compensation for his services, to be fixed by said board; and also power to appoint local agents to aid and May appoint a secretary and fix his salary; also appoint local agent

assist all immigrants who may desire to locate in Wisconsin; and said local agents shall serve without pay.

$5,000 appropriated.

SECTION 7. There shall be appropriated out of the general fund not otherwise appropriated a sum not exceeding five thousand dollars annually for the years 1895 and 1896, to be drawn upon the order of the governor and expended at his discretion and under his direction, and to be applied exclusively in defraying the expenses incurred by said board under this act.

May be allowed traveling expenses.

SECTION 8. Each member of said commission shall be paid out of said fund the traveling expenses necessarily incurred and disbursed by said committee in performance of his duties not exceeding, however, the sum of three hundred dollars annually.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 610, A.] [Published April 25, 1895.

CHAPTER 236.

AN ACT to amend chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes and providing for their incorporation and government, as amended by chapter 312, of the laws of 1893."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Officers named in cities of the 2d, 3d and 4th classes.

SECTION 1. Section 23, of chapter 326, of the laws of 1889, as amended by section 11, of chapter 312, of the laws of 1893, is hereby amended

so as to read as follows: Section 23. The officers of cities of the second, third and fourth classes shall be a mayor, two aldermen, one justice of the peace, one constable and one supervisor from each ward, a city treasurer, city clerk, comptroller, city attorney, city assessor, city engineer, chief of police, a city physician, a street commissioner, a chief of the fire department, a board of public works, a board of school commissioners, one or more policemen, and such other officers or boards as the common council may deem necessary; provided, the common council may by a two-thirds vote dispense with the offices of street commissioner, city engineer, comptroller, and board of public works, and provide that the duties of such officer or board be performed by other officers or boards of said city, or by the common council or by a committee thereof. In case of the adoption of this section by any city having a board of assessors or more than one assessor under its charter, such charter shall be deemed amended so that wherever the words "assessors" or "board of assessors" occurs in such charter the same shall be construed to mean "city assessor," and any power exercised or duty imposed upon such assessors or board of assessors under such charter shall be deemed to be conferred and imposed upon the city assessor.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 116, S.] [Published April 20, 1895.

CHAPTER 237.

AN ACT to amend section 1772, revised statutes 1878, relating to corporations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fees for filing articles of incorporation raised.

SECTION 1. Section 1772, revised statutes 1878, as amended by chapter 7, 1879, chapter 142, 1881, chapter 241, 1883, chapters 156 and 353, 1885, is hereby amended by striking out the word "ten" and inserting the word "twenty-five," so that the said subdivision 7 when amended shall read as follows, to-wit: 7. Such other provisions or articles, if any, not inconsistent with law, as they may deem proper to be therein inserted for the interests of such corporations, or the accomplishment of the purposes thereof, including, if desired, the duration of its existence. In case the corporation is formed without capital stock, the articles shall fix the time and place for the first meeting for the election of officers, and the signers of such articles shall give notice thereof to the members in the manner provided in the next section. Such original articles, or a true copy thereof, verified as such by the affidavits of two of the signers thereof, shall be recorded by the register of deeds of the county in which such corporation is located; and no corporation shall, until such articles be so left for record, have legal existence. A like verified copy shall, within thirty days, be filed with the secretary of state and for a failure so to do, each signer of any such articles shall forfeit twenty-five dollars. For filing every such articles of incorporation with the secretary of state and issuing a certificate of incorporation, the incorporators shall pay the sum of twenty-five dollars; provided, that any corporation that shall be organized with a capital stock of twenty-five thousand dol-

lars or less shall pay a fee of ten dollars for the filing of said incorporation papers, and for filing with the secretary of state an amendment to articles already filed, they shall pay the sum of five dollars, and no articles or any such amendments shall be filed unless such fees be first paid, and such sums shall be paid into the state treasury by the secretary of state; provided, no fee or payment of any sum for filing articles of association, or of any amendments thereto, shall be required from any corporation organized exclusively for benevolent, charitable or reformatory purposes, whose articles of incorporation shall provide that no dividends or pecuniary profits shall ever be made or declared by such corporation to its members.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 254, S.] [Published April 18, 1895.

CHAPTER 238.

AN ACT to provide for the classification of cities incorporated under special charters granted by the legislature of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. For the exercise of corporate power and other appropriate purposes, all cities incorporated under special charters, granted by the legislature of this state, shall be divided into classes as follows: Cities containing a population of one hundred and fifty thousand or over shall constitute the first class of cities incorporated under special charters; cities containing

Division of cities into classes.

a population of forty thousand or over, and under one hundred and fifty thousand, shall constitute the second class of cities incorporated under special charters; cities containing ten thousand or over, and under forty thousand, shall constitute the third class of cities incorporated under special charters; cities containing less than ten thousand shall constitute the fourth class of cities incorporated under special charters. The population as affecting the class to which any city shall belong under this act shall be determined by the last national or state census.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 292, S.] [Published April 25, 1895.

CHAPTER 239.

AN ACT to authorize the governor to appoint commissioners for the promotion of the uniformity of legislation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Commissioners to be appointed to promote uniformity of legislation.

SECTION 1. Within sixty days after the passage of this act the governor shall appoint three commissioners, who are hereby constituted a board of commissioners by name and style of "commissioners for the promotion of uniformity of legislation in the United States." It shall be the duty of said commission to examine the subjects of marriage and divorce, insolvency, the form of notarial certificates, descent and distribution of property, acknowledgment of deeds, execution and probate of wills, commercial paper and other subjects on which uniform-

ity is desirable; to ascertain the best means to effect uniformity in the laws of the state, and to represent the state of Wisconsin in conventions of like commissions heretofore appointed or to be appointed by other states; to consider and draft uniform laws to be submitted for approval and adoption of the several states; and to devise and recommend such other course of action as shall best accomplish the purpose of this act; said board of commissioners shall make report to the governor and the legislature.

Shall make report to governor and legislature.

SECTION 2. Said commission shall be permanent; one of said commissioners shall be appointed for the term of one year, one for the term of two years, and one for the term of three years, and thereafter successors of said commissioners shall be appointed for the full term of three years.

Commission to be permanent.

SECTION 3. Chapter 83, of the laws of 1893, in so far as the same conflicts with this act, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 56, A.] [Published April 25, 1895.

CHAPTER 240.

AN ACT to prohibit conspiracy between employers or corporations to prevent persons from obtaining employment.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 349, of the laws of 1887, relating to blacklisting employes, is hereby amended so as to read as follows: It shall be unlawful for any two or more employers of labor,

Unlawful to conspire to prevent persons from obtaining employment.

whether it be person, partnership, company or corporation, to combine or agree to combine, for the purpose of preventing any person or persons seeking employment from obtaining the same, or for the purpose of procuring and causing the discharge of any employe or employes, either by threats, promises, or by circulating blacklists, or causing the same to be circulated.

SECTION 2. If any person, partnership, company or corporation, after having discharged any employe from his or its service shall prevent or attempt to prevent such discharged employe from obtaining employment with any other person, partnership, company or corporation, either by threats, promises, or by blacklisting such discharged employe, and circulating said blacklist, such person, partnership, company or corporation, shall be deemed guilty of a misdemeanor.

Unlawful to blacklist any discharged employe.

SECTION 3. If any person, partnership, company or corporation shall authorize, permit or allow any of its or their agents to blacklist any discharged employe or employes, or any employe or employes who may have voluntarily left the service of such person, partnership, company or corporation, and to circulate the same, to prevent such employe or employes from obtaining employment from any other person, partnership, company or corporation, such person, partnership, company or corporation shall be deemed guilty of a misdemeanor.

Unlawful to interfere with employe's privileges to join a labor organization.

SECTION 4. Any person, partnership, company or corporation who shall hereafter coerce or compel any person or persons to enter into an agreement not to join or become a member of any labor organization as a condition of such person or persons securing employment, or continuing in the employment of any such person, partnership, company or corporation, shall be deemed guilty of a misdemeanor.

Penalty prescribed for violating any of the requirements of this act.

SECTION 5. Any person, partnership, company or corporation violating any of the provisions of the preceding sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less

than one hundred dollars or more than five hundred dollars; and all fines so collected shall be paid into the treasury of the state of Wisconsin for the use of the common school fund.

Truthful statement for discharging employe may be given.

SECTION 6. Nothing in this act shall be construed as prohibiting any person, partnership, company or corporation from giving any other person, company or corporation to whom such discharged employe has applied for employment, or to any bondsman or surety, a truthful statement of the reasons for such discharge, when requested so to do by such employe or person to whom he has applied for employment, or by such bondsman or surety, but it shall be unlawful to give such information with the intent to blacklist, hinder or prevent such employe from obtaining employment; nor shall anything in this act be construed as prohibiting any person, partnership, company or corporation from keeping for his or its own information and protection a record showing the habits, character and competency of his or its employes, and the cause of the discharge or voluntarily quitting of any employe of such employer.

SECTION 7. All acts or parts of acts contravening or inconsistent with the provisions of this act, are hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 174, A.] [Published April 25, 1895.

CHAPTER 241.

AN ACT to appropriate certain sums of money to the university of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Additional state tax of one-fifth of one mill to be levied for two years for the university fund income.

SECTION 1. There shall be levied and collected annually for two years an additional state tax of one-fifth of one mill for each dollar of the assessed valuation of the taxable property of the state, which amount so levied and collected is hereby appropriated to the university fund income of the university of Wisconsin, and shall be used by the board of regents of the university for increased administration expenditures and expenditures for the department of engineering, advancing the work of the university extension in the state of Wisconsin, in addition to the horticultural building, enlargement of ladies' hall with gymnasium apartments, changes and repairs in university hall, and the construction of a farm barn and purchase of a herd of cattle for the agricultural department; any residue which may remain may be applied to such uses as the regents may deem to be most important to the interests of the university; provided, that out of the income derived from said tax there shall be set apart for the college of agriculture, in addition to its present several incomes, twenty thousand dollars for the completion and equipment of the horticultural building, five thousand dollars for a dairy barn, two thousand dollars for the purchase of a herd of dairy cows, and ten thousand dollars annually for current expenses.

State tax of 1891 to be continued after the lapse of six years.

SECTION 2. The state tax directed to be levied and collected by chapter 29, of the general laws of Wisconsin of 1891, shall be continued after the lapse of the six years therein mentioned, and so continued shall be levied and col-

lected annually and is hereby appropriated to the university fund income of the university of Wisconsin to meet the current or administration expenditures of said university and may be applied in the same manner as other university fund income.

Commissioners of public lands authorized to make a loan to university fund income.

SECTION 3. The commissioners of public lands be and they are hereby authorized to direct the state treasurer from time to time to set apart by way of loan to the fund known as the university fund income of the university of Wisconsin for like university uses, such excess of moneys if any, or part thereof, in the trust fund not otherwise appropriated or required for anticipated ordinary expenditure as in their judgment shall be prudent, such loan to be repaid to the trust fund from the portions of state tax hereinbefore appropriated with interest thereon at the rate then required on deposits in bank made pursuant to chapter 273, of the general laws of Wisconsin of the year 1891, and the acts amendatory thereof.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 190, S.] [Published April 25, 1895.

CHAPTER 242.

AN ACT to enable commissioners of public lands to procure certain indemnity swamp lands from the national government.

Indemnity swamp lands—relating thereto.

Whereas, Under an act of congress, approved September 28th, 1850, and other acts, the state of Wisconsin is still entitled to a large amount of lands known as the "indemnity swamp lands;" and

Whereas, The National Government is fast disposing of all its lands in this state; therefore,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Commissioners of public lands authorized to secure swamp lands due the state.

SECTION 1. The commissioners of public lands are hereby authorized to investigate, select and secure all the indemnity swamp lands to which this state is or may hereafter be entitled as soon as practicable.

Appropriation for expenses.

SECTION 2. The accounts for all such expenses shall be approved by the commissioners of public lands, and on a warrant of the secretary of state to be paid from the general fund.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 13, 1895.

No. 562, A.] [Published April 25, 1895.

CHAPTER 243.

AN ACT to codify and amend the laws relating to countersigning diplomas and life certificates.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Teachers' certificates granted by other states may be countersigned by state superintendent.

SECTION 1. Teachers' certificates granted by other states which are fully and fairly equivalent to the Wisconsin unlimited certificate, may be countersigned by the state superintendent upon the recommendation of the state board of examiners. The holder of such certificate shall furnish to the board of examiners such evidence of learning and good moral character, experi-

ence and success in teaching as is required for the unlimited state certificate.

State superintendent authorized to countersign diplomas of university and normal school graduates.

SECTION 2. Any person holding a diploma granted upon the completion of a regular collegiate course of the state university, or upon the completion of the full course of any Wisconsin normal school, may present such diploma to the state superintendent to be countersigned. No diploma shall be countersigned except the holder thereof shall furnish evidence satisfactory to the state superintendent of good moral character and one year's successful teaching in a public school. The certificate granted upon the completion of the elementary course of any Wisconsin state normal school may be countersigned by the state superintendent. When countersigned it shall have the force and effect of a limited state certificate in this state; but no such certificate shall be countersigned unless satisfactory evidence be furnished the state superintendent of good moral character and successful experience in teaching a public school for eight months after the date of its issuance.

Holders of diplomas granted by any incorporated college or university may be countersigned—when.

SECTION 3. The holder of a diploma granted by any incorporated college or university, whose regular collegiate courses are fully and fairly equivalent to corresponding courses in the university of Wisconsin, and the holder of a diploma granted by a state normal school whose course of study is fully and fairly equivalent to the courses of study in the Wisconsin normal schools, may present such diploma, together with evidence of the required standing of the college, university or normal school granting the same, to the state board of examiners. The applicant shall furnish therewith testimonials of good moral character and of two years' successful teaching in a public school after the date of issue of said diploma. The diploma recommended favorably by said board shall be countersigned by the state superintendent. The holder of a diploma which is not countersigned, and which was granted upon the completion of a course of study accredited as herein provided,

may be given a special license by the state superintendent to teach for one year in a public school upon the recommendation of the state board of examiners, made in pursuance of such examination as to learning, moral character and ability to teach as said board may require.

Countersigned diplomas and life certificates, equivalent to unlimited state certificates.

SECTION 4. All diplomas and life certificates provided for in the three preceding sections, when countersigned, shall have the force and effect given by law to the unlimited state certificate; provided, that any diploma described in section 2, shall have like force and effect for one year before it is countersigned.

State certificates may be revoked for incompetency or immoral conduct.

SECTION 5. Any state certificate, or its equivalent, may be revoked by the state superintendent for incompetency or immoral conduct; but before any such revocation the holder shall be served with a written statement of the charges against him, and shall have an opportunity for defense.

SECTION 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 400, S.] [Published April 19, 1895.

CHAPTER 244.

AN ACT to amend chapter 326, of the private and local laws of 1870, entitled, "An act to incorporate the Superior and St. Croix Railroad Company," and chapter 328, of the private and local laws of 1871, entitled, "An act to amend section 2, chapter 326, of the private and local laws of 1870, approved March 15, 1870, entitled, 'An act to incorporate the Superior and St. Croix Railroad Company.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Superior and St. Croix R. R. Co. authorized to build and operate railroads.

SECTION 1. Section 2, of chapter 326, of the private and local laws of 1870, entitled, "An act to incorporate the Superior and St. Croix Railroad company," as amended by chapter 328, of the private and local laws of 1871, entitled, "An act to amend section 2, chapter 326, of the private and local laws of 1870," approved March 15, 1870, entitled, "An act to incorporate the Superior and St. Croix Railroad Company," is hereby amended so as to read as follows: Section 2. The said company is hereby authorized and empowered to survey, locate and construct, and to acquire, by purchase or otherwise, and to equip, maintain, operate, and perpetually to have, use and enjoy, a railroad or railroads, with one or more tracks, from a point or points on the bay of Superior, at the west end of Lake Superior, in Douglas county, Wisconsin, to be selected by the board of directors, upon such route or routes as such board shall adopt, to such point or points on the Minnesota state line, as such board shall select, and thence westward, upon such route or routes as said board shall adopt, to such point or points on the Pacific coast, as such board shall select; and from said point or points in Douglas county easterly, upon such route or routes as said board shall

adopt, to or near Ashland, in the county of Ashland, in the state of Wisconsin, and thence by such route or routes and to such point or points in the state of Michigan, as such board shall select; also from said point or points in Douglas county, upon such route or routes as said board shall adopt, through the counties of Douglas, Burnett, Polk, St. Croix and Pierce, or any of them, to Prescott, on the Mississippi river, with a branch from some point in one of said counties, to be selected by the board of directors, to St. Paul and Minneapolis, Minnesota, or to either of said places; also from said point or points in said Douglas county, or from some point to be selected by such board on any railroad or railroads which the said company is or hereafter may be authorized to construct or otherwise acquire, upon such route or routes as such board shall adopt, through the states of Wisconsin and Illinois to or into the city of Chicago, in the county of Cook, in said last named state. And the said company is further authorized and empowered to survey, locate, construct, and to acquire, by purchase or otherwise, and to equip, maintain and operate, and perpetually to have, use, possess and enjoy, branch lines of railroad from its main line or lines in and into or through any state or territory of the United States, or extending into or lying within the dominion of Canada, or any portion or province thereof, from and to such points as shall be determined by such board of directors.

Powers of the company enumerated.] SECTION 2. Section 3, of said chapter 326, is hereby amended so as to read as follows: Section 3. The said company shall have the perpetual right, power and authority to transport, take and carry property and persons upon such railroad or railroads, by steam and other motive power, and to receive and store any property in any of its depots or other buildings, including elevators, and to make, construct, maintain, acquire and use all such switches, turnouts, side-tracks, spur and other tracks as it shall deem necessary; and also to construct,

erect, acquire and maintain all such depots, station houses, warehouses, car houses, shops, engine houses, elevators and other buildings, fixtures, structures and things necessary or convenient for use by said company in the operation of its railroads and in the transaction of its business as a carrier of freight and passengers. And said company shall have power to connect its railroad or railroads with any other railroad or railroads, and to operate the same under lease or otherwise, or to run in connection with any such railroad or railroads, in such manner as may be agreed upon between the board of directors of said company and the board of directors of the company or companies owning or operating any such connecting railroad or railroads. And any railroad company, person, association or corporation having a railroad or railroads, constructed or partly constructed, running in the direction of the line or lines of railroad which the said company is by this act or may hereafter be authorized to construct, acquire and operate, which said company shall agree to use or connect with, is hereby authorized to make to said company (created by said chapter 326), a lease, sale or trackage arrangement, perpetual or for a time limited, of the whole or any part of said railroad or railroads so constructed or partly constructed, together with the rolling stock, machinery, buildings, tenements or fixtures, and all property, real, personal or mixed, of the said railroad company, person, association or corporation, together with its or their franchises, rights, privileges and immunities, and in consideration of such lease, use or sale, to take or receive such rent, commutation of rental, payment or other consideration as may be agreed upon.

May build railroads across streams, highways, water-courses, canals, etc.

SECTION 3. Section 4, of said chapter 326, is hereby amended so as to read as follows: Section 4. Said company shall have the right, authority and power, and it is hereby authorized and empowered, subject to the provisions of section 1836, of the revised statutes to con-

struct, maintain and operate its railroad or railroads across, along or upon any stream of water, water-course, street, highway, plank-road, turnpike or canal which its route or routes shall intersect or touch; to carry any highway, street, turnpike or plank-road which it shall touch, intersect or cross over or under its tracks, as may be most expedient for the public good; to change the course and direction of any highway, street, turnpike or plank-road, when made necessary or desirable to secure more easy ascent or descent by reason of any embankment or cut made in the construction of its railroad or railroads, and to take land necessary therefor; provided, such highway or road be not so changed from its original course more than six rods, nor its distance thereby lengthened more than five rods. And the said company shall also have power, and it is hereby empowered, to cross, intersect, join and unite its railroad or railroads with any railroad now or hereafter constructed, at any point on its route, and upon the grounds of such railroad corporation, with the necessary turnouts, sidings and switches and other conveniences, in furtherance of the objects of its connection. And the said company shall also have power, and it is hereby empowered, to erect, purchase and maintain all necessary bridges for the use of its railroad or railroads, main and branch, over any stream of water or water-course, at such point or points of crossing the same as said railroad or railroads may be located or constructed, together with all necessary abutments, piers, arches, foundations and other structures.

May enter upon lands for the purpose of exploring, surveying, etc.

SECTION 4. Section 5, of said chapter 326, is hereby amended so as to read as follows: Section 5. It shall be lawful for the said company, and it is hereby authorized and empowered, by its officers, engineers, servants and workmen to enter upon any land or lands for the purpose of exploring, surveying, locating and establishing the route or routes of said railroad or railroads; and when the said route or routes, or

any portion thereof, shall be determined, by resolution adopted by its board of directors, it shall be lawful for said company, and it is expressly authorized and empowered, to purchase and hold such land or lands for right of way, side-tracks, spur tracks, water tanks, construction of road-bed and maintenance of same, station houses, warehouses, elevators, engine houses, shops, and for such other purposes as may be necessary, usual or convenient for the operation of said railroad or railroads or in connection therewith; and whenever said company cannot agree with the owners and other parties interested in any such land upon the price to be paid therefor, or for the occupation thereof, or for any interest therein, it shall have the right, and it is hereby expressly authorized and empowered, to acquire the same by condemnation proceedings, to the extent and in the manner provided by sections 1845 to 1856, inclusive, of the revised statutes of 1878.

May demand and collect transportation fees.

SECTION 5. Section 6, of said chapter 326, is hereby amended so as to read as follows: Section 6. Upon the completion or acquisition of said railroad or railroads, or any part thereof, it shall be lawful for said company, and it is hereby authorized and empowered, to demand, collect and receive such sum or sums of money for the transportation of persons and property, and for the storage of property, as shall be reasonable.

May transport persons and property in boats, steam boats and other water craft.

SECTION 6. Section 7, of said chapter 326, is hereby amended so as to read as follows: Section 7. Said company shall also have full power, and it is hereby expressly authorized, to carry and transport persons and property in boats, steamships, vessels, barges and other water craft upon any of the navigable waters which its railroad or railroads shall run to, over or connect with, and to demand, receive and collect such compensation for the same as it shall from time to time deem reasonable, and for that purpose the said company is authorized and empowered to build, lease, purchase, own and use, either directly or through a corpora-

tion or corporations organized by it or otherwise for the purpose, and whose stock in whole or in part it shall own, such boats, steamships, vessels, barges and other water craft as in its judgment may be necessary or convenient for its use.

May take and hold certain lands.

SECTION 7. Section 8, of said chapter 326, is hereby amended so as to read as follows: Section 8. The said company shall be capable in law of taking, holding and selling any lands granted to it, or to any company whose property it shall acquire, by purchase or otherwise, by the government of the United States, or by this state, or by any state or territory through or in which it shall acquire in any manner, and operate, any railroad or railroads, wherever the said lands may be situated, or by grant by persons, companies, corporations or associations, within or without this state, to aid in the construction or operation of any railroad or railroads by it constructed or otherwise acquired, or authorized to be by it constructed or acquired; and the said company may also pledge, hypothecate, mortgage or otherwise dispose of all its right, title and interest in and to said lands, or any part thereof, and in and to any other estate, real, personal or mixed, of which it, the said company, may be seized at the time of the execution of any mortgage or deed of trust, or of which it may become seized subsequent to the execution and delivery of any such instrument or instruments, including its franchise to be a corporation and to own, maintain and operate such railroad or railroads; and the said company may sell or lease any of its branch roads, however acquired, whenever it shall be declared by resolution of the board of directors, subject to the approval of the holders of record of a majority of the outstanding capital stock, that the interests of the company and its stockholders will be thereby subserved.

SECTION 8. Section 9, of said chapter 326, is hereby amended so as to read as follows: Section 9. All of the affairs of said company shall

Management of the company's business, how and by whom conducted.

be managed by a board of directors, who shall be stockholders, and who are hereby invested with all the powers of the corporation, save as hereinafter provided. They shall be chosen annually by ballot by the stockholders at the annual meeting of the company, which shall be held on such notice, and at such time, as shall be prescribed by the by-laws, and at such place, within or without the state, as shall be prescribed by the board of directors, and stated in such notice. At all meetings of the stockholders each stockholder shall be entitled to one vote for each share of stock held by him, under such conditions and regulations as may be prescribed or referred to in the certificates thereof, and may vote the same in person or by proxy duly authorized, and no business shall be transacted at any meeting of the stockholders, unless a majority of the stock subscribed and outstanding is represented. In all elections of directors those stockholders having the greatest number of votes shall be deemed and declared duly elected. Elections shall be conducted in such manner as shall be prescribed by the by-laws of the company, and if for any cause an election of directors shall not be had at the time when by the provisions of this act or by the by-laws it should be had, the same may be held at any other time, on notice to be given as aforesaid, and until such election be had the directors of the preceding year shall continue to act, until their successors are duly elected and qualified. The company may at any time increase or diminish the number of directors to be elected at the next annual meeting of the stockholders, and the number to be elected shall be specified in the notice of meeting, but shall never be less than five nor more than seventeen; and the said company may by a vote of a majority of the stockholders, present or represented at any annual meeting, classify its directors into three classes, each of which shall be composed as nearly as may be of one-third of the directors, the term of office of the first class to expire in one year, of the second in two years, and of the

third in three years. At each annual election thereafter a number of directors shall be elected for three years equal to the number whose term of office shall then expire. All vacancies shall be filled in accordance with the by-laws.

Election of president of the board; board of directors and their powers.

SECTION 9. Section 10, of said chapter 326, is hereby amended so as to read as follows: Section 10. A majority of the board of directors shall constitute a quorum for the transaction of any business. They shall meet at such times and be convened in such manner as the by-laws shall prescribe, and at such places as the board shall decide upon. Whenever all the members of the board of directors are present at any meeting it shall be competent for them, having signed upon the minutes a waiver of notice of meeting, to transact business as fully to all intents and purposes as if the said meeting had been duly convened pursuant to notice. They shall elect one of their own number to be president, and one to be vice-president, and they may elect additional vice-presidents, and such other officers of the board, and impose upon them such duties, and confer upon them such powers, as the board may by resolution prescribe. The duties of the president and other officers at meetings of the board and stockholders shall be prescribed by the by-laws. The board of directors shall have power to appoint an executive committee, and to confer upon and to delegate to said committee the full power of the board of directors when the latter is not in session; and the board may appoint a secretary, treasurer, comptroller and such other officers and agents as it may deem necessary, and it may remove them at pleasure, prescribe their duties and compensation, and may demand adequate security for the discharge of their respective duties.

Capital stock, how it may be increased.

SECTION 10. Section 11, of said chapter 326, is hereby amended so as to read as follows: Section 11. The capital stock of said company may be increased from time to time to such an amount as may by its stockholders be deemed necessary for the construction, acquisition or

operation of any of its railroad or railroads, by a vote of the owners of record of at least a majority of all its outstanding stock, in person or by proxy, at any annual meeting, or at any meeting called for that purpose, by a notice in writing to each stockholder, to be served upon him personally, or by depositing the same in the postoffice, postage paid, properly directed to him at the postoffice nearest his usual place of residence, at least twenty days prior to such meeting. Such notice shall state the time and place of such meeting, its object, and the amount to which it is proposed to increase such capital stock. No vote in favor of such increase shall take effect until the proceedings of such meeting, showing the names of the stockholders voting therefor, and the amount of stock owned by each, shall be entered upon the records of said corporation, and the said company may at any such time, by a vote of the holders of record of two-thirds of said outstanding stock, classify its said stock into common and preferred; and it may further classify its said stock by dividing its preferred into different classes and it may make any or all of said classes of preferred stock cumulative or non-cumulative as to dividends thereon, and any or all of said preferred stock may be with or without preference over any other stock or classes of stock in the event of the liquidation of the company's affairs, either through insolvency or otherwise. And the said company may make such preferred stock convertible into common stock, upon such terms and conditions as may be fixed by the board of directors.

Authorized to borrow money, and may execute and deliver its notes, bonds, debentures and other evidences of debt for the same.

SECTION 11. Section 12, of said chapter 326, is hereby amended so as to read as follows: Section 12. The said company is hereby expressly authorized to borrow from time to time such sums of money, and upon such terms, as the corporation or board of directors shall agree upon or authorize as necessary and expedient; and in its corporate name to execute and deliver its notes, bonds, debentures or other evidences of indebtedness in such form as shall

be from time to time prescribed by the board of directors, and in such amount as shall be deemed from time to time by said board expedient; and may make the same convertible into its capital stock of any class, upon such terms and conditions as to the board of directors may seem advisable, and it may pledge or hypothecate such notes, bonds, debentures or other evidences of indebtedness as collateral security for loans made to it by any person or persons, corporation, association or body politic; and it may sell such notes, bonds, debentures or other evidences of indebtedness, at such prices and upon such terms as the board of directors shall prescribe; and it may deliver the same in discharge of any liabilities which it may have incurred, or proposes to incur, in the construction, purchase or other acquisition of any railroad or railroads or other property which it is or may hereafter be by law authorized to construct, purchase or acquire, and in the repair, equipment or operation of its railroad or railroads, main line or branch, or of any part or parts thereof, or of any steamships, steamboats, barges, ferries or other water craft acquired or owned by it, or which it desires to acquire by construction or purchase; and it may exchange the same for the stocks, bonds or other evidences of indebtedness of any railroad company whose railroad or railroads it is or may hereafter be authorized to purchase, and it may generally use the same in such manner as shall in the judgment of the board of directors subserve and promote the corporate purposes; and the powers of said company for the purposes aforesaid, and for all purposes necessary for the carrying out of the objects, or any thereof, of said company are hereby ratified and confirmed; and the said company may, and it is hereby expressly authorized and empowered, in order to secure the payment of any such notes, bonds, debentures, or other evidences of indebtedness, execute and deliver from time to time collateral trust indentures or other security agreements or indentures, and it may from time

Authorized to mortgage any or all of its property.

to time, execute and deliver trust deeds, or mortgages, or both, as occasion may require, of and upon any of its railroad or railroads, or parts thereof, constructed or thereafter to be constructed or in process of construction, and may by any such mortgage or trust deed convey and mortgage all or any of its railroad track or tracks, rights of way, depot grounds, rights, privileges, franchises, immunities, exemptions, machine houses, rolling stock, furniture, tools, bridges, elevators, steamboats, steamships, and all appendages and appurtenances, and all other property, real, personal and mixed, in any manner whatever then belonging to the corporation, or which it may thereafter acquire; and it may include in any such mortgage or trust deed any grant or grants of lands, or any parts thereof, owned or held by it, or in which it may be or may become interested; and it may also grant, convey and transfer by any such mortgage or deed of trust its franchise to be a corporation and its franchise to have, possess, maintain and operate the railroad or railroads and other property described in any such instrument and covered thereby; and it may also give and grant to individual bondholders the right and power to vote at meetings of stockholders upon all such questions, other than election of directors, as may come before such meetings; and every such mortgage, deed of trust, collateral trust indenture or security agreement to be executed by said company shall be in such form, and contain such provisions, as the corporation or board of directors shall think proper. And in any such mortgage, deed of trust, collateral trust indenture or security agreement there may be inserted provisions limiting the right of individual holders of the bonds, notes or evidences of indebtedness secured thereby to sue or recover upon any such bonds, notes or other evidences of indebtedness, or upon any coupon annexed thereto secured by said instrument, either at law or in equity, except through the trustee or trustees to whom or to which or with whom or with which such

instrument is made, and every such provision shall be binding upon the holders of said bonds, notes or other evidences of indebtedness, and all thereof, and upon any court whose jurisdiction and aid may be invoked in foreclosing the lien or liens created thereby. And every such mortgage or mortgages, deed or deeds of trust or collateral trust indenture, and every discharge or satisfaction thereof, may be recorded in the office of the secretary of state, in a proper book kept for that purpose, and the certificate of such recording, endorsed on such instrument, shall have the same effect as if such instrument were recorded in the several counties in which such railroad or railroads may be located, and such record in the office of the secretary of state shall be sufficient notice to all persons of the existence and lien created by said instrument, and of the property covered by the same.

Authorized to lease or purchase other properties, or railroads.

SECTION 12. The said company may lease or purchase, and take a conveyance or assignment of the railroad or railroads, franchises, immunities, and all other properties and appurtenances, and the stocks or bonds, or both thereof, of any other railroad corporation, or any portion thereof, within or without this state, when their respective railroads can be lawfully connected and operated together to constitute a continuous line, or when the railroad or railroads so leased or purchased will constitute branches or feeders of any railroad or railroads maintained and operated by such leasing or purchasing company; and the said company may purchase and hold the stock and bonds, or either thereof, of any railway company to which it has furnished the money for the construction of its railway, or may purchase for the money so furnished, or for such other consideration as may be agreed upon between the companies by their respective boards of directors, and take a conveyance of the whole or any portion of the franchises of said corporation, and of the railway property and appurtenances thereof.

SECTION 13. And the said company may, and it is hereby expressly authorized and empowered to, purchase or otherwise acquire and

hold the stock or bonds, or both thereof, of any corporation (wherever organized) the franchises, functions or operations of which may or would in any wise be utilized for the convenient or more economical or safe operation of its railroad or railroads, or of any thereof; and the said company may guarantee the principal or interest, or both thereof, of the bonds, or may endorse the same, or may guarantee the dividends upon the stock, or the rentals or obligations of any lease or traffic contract, of any corporation which it may control by virtue of the ownership of its stock, or otherwise, and may endorse the notes of any such company, or other evidences of indebtedness of any such company, and may guarantee, by endorsement or otherwise, the bonds or other evidences of indebtedness, and the dividends upon the stock, or the rentals or obligations of any lease or traffic contract, of any corporation or corporations whose property the said company may now or hereafter be authorized by law to acquire by purchase or lease of the physical property thereof, or by purchase of the stock thereof.

May also purchase or acquire stock or bonds of any other corporation.

SECTION 14. The said company shall, in addition to the special powers conferred upon it by said chapter 326, and by this act, have, possess and enjoy all of the rights, powers, privileges and immunities conferred upon railroad corporations by chapter 87, of the revised statutes of 1878, and the acts amendatory thereof and supplementary thereto, and shall be subject, save where inconsistent herewith, to the restrictions, duties and liabilities imposed upon railroad corporations by said chapter, and all amendatory and supplementary acts.

Shall have rights and powers conferred by chapter 326, laws 1870, and chapter 87, R. S.

SECTION 15. Sections 13, 14, 15, 16, 17, 18 and 19, of said chapter 326, are hereby repealed.

Sections repealed.

SECTION 16. All acts and parts of acts inconsistent with, or in any manner contravening, the provisions of this act are hereby repealed.

SECTION 17. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1895.

No. 339, A.] [Published April 18, 1895.

CHAPTER 245.

AN ACT to amend section 18, of sub-chapter 4, of chapter 326, laws of 1889, being, "An act dividing cities into classes and providing for their incorporation and government."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Territory adjacent to city; how it may be annexed.

SECTION 1. Section 18, of sub-chapter 4, of chapter 326, laws of 1889, is hereby amended, so as to read as follows: Section 18. Three-fourths of the electors and the owners of at least one-third of the taxable property, according to the last tax roll, in territory adjacent to such city, may present a petition to the common council of such city asking for annexation thereto; provided, that if no electors reside therein, such petition must be signed by the owners of at least three-fourths of the taxable property desired to be annexed before the common council shall have power to act thereon; provided further, that the common council of such city, may upon the petition of one-half of the resident electors and by the owners of one-half of the real estate within the limits of the territory proposed to be annexed, pass an ordinance annexing such proposed territory when the proposition to annex has been submitted to a vote of the electors of the district to be annexed and a majority of the resident electors have voted in favor therefor.

SECTION 2. Whenever a proposition to annex territory has been submitted and not adopted the same or substantially the same proposition shall not be again submitted within two years thereafter.

SECTION 3. Chapter 214, laws of 1893, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 386, A.] [Published April 18, 1895.

CHAPTER 246.

AN ACT to create the town of Holway in Taylor county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Town of Holway created.

SECTION 1. All that territory in Taylor county described as follows, to-wit: All of ranges one, two, three and four west, of township thirty, and which up to April 1, 1895, is embraced within the town of Pine creek, in said Taylor county, shall constitute a town and be known as the town of Holway.

Indebtedness to be paid—records to revert.

SECTION 2. The said town of Holway shall in all respects be the successor to the town of Pine Creek, and all the indebtedness of said town of Pine Creek shall be paid by said town of Holway, and all property and records of said town of Pine Creek shall belong to said town of Holway.

Election of town officers.

SECTION 3. The qualified electors of the town of Holway shall meet at the building known as the town hall, in said town of Holway, on the fourth Tuesday in April, 1895, and elect the various town officers as is now prescribed by law.

When town shall be deemed to be duly organized.

SECTION 4. After said election shall have been held as provided by this act, and the officers elected thereat shall have duly qualified according to law, the said town of Holway shall be deemed to be duly organized, and shall pos-

sess all the rights and privileges of other towns in this state.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 387, A.] [Published April 18, 1895.

CHAPTER 247.

AN ACT relating to the appointment and salaries of under sheriff and deputy sheriffs in Milwaukee county and to amend section 2, of chapter 227, of the laws of 1877, as amended by chapter 207, of the laws of 1882, as amended by chapter 301, of the laws of 1891.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Under sheriff to be appointed—salary.

SECTION 1. Section 2, of chapter 227, of the laws of 1877, as amended by chapter 207, of the laws of 1882, as amended by chapter 301, of the laws of 1891, is hereby amended so as to read as follows: Section 2. Said sheriff is hereby authorized to appoint one under sheriff, who shall receive a salary of eighteen hundred dollars per annum, to be paid monthly out of the treasury of Milwaukee county, and seventeen deputy sheriffs of whom one shall act as clerk in the sheriff's office. The said deputy sheriffs shall receive a salary of one thousand dollars per annum excepting the one acting as clerk in the sheriff's office under the provisions of this act, who shall receive a salary of fifteen hundred dollars per annum. One of such deputies shall be assigned to the office of the district attorney of Milwaukee county, and shall be subject to the orders of the district attorney. The

Deputy sheriffs—salary.

salaries of the said eighteen deputy sheriffs shall be paid monthly out of the treasury of said Milwaukee county and the salaries so paid to said under sheriffs and said deputy sheriffs shall be in lieu of all fees, per diem, and other emoluments of whatever kind or nature heretofore allowed by law.

SECTION 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 353, A.] [Published April 25, 1895.

CHAPTER 248.

AN ACT authorizing and requiring the state treasurer to repay to certain patentees of the state of Wisconsin the purchase money paid by such patentees to the state for lands to which the state had no title at the time of such patent.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State shall repay all sums received for patented lands where it had no title to such lands.

SECTION 1. In all those cases where the state of Wisconsin has heretofore sold and patented, or shall hereafter sell and patent, any lands to any person or corporation for a valuable consideration, when the state has or had no title to such lands, and had no right to sell or patent the same, the state shall repay to such persons or corporations so receiving such patents all sums of money paid by them and received by the state upon the sale of such lands or for such patent.

All claims to be made within five years.

SECTION 2. Any person or corporation making claim for the repayment of such purchase money under section 1 of this act shall apply to the commissioners of the public lands of the state of Wisconsin, in writing, setting forth the facts upon which they make such claim, and thereupon the commissioners of the public lands shall inquire into the facts set forth in such petition upon which such claim is based, and if they shall find and be satisfied that said claim is well founded and that the facts set forth in said application are true, said commissioners shall make and sign a certificate setting forth the facts as found by them, and stating the amount which such person is entitled to receive from the state, and thereupon the secretary of state upon presentation of said certificate to him shall draw a warrant on the state treasurer payable to such person for the amount of money so certified.

SECTION 3. All claims under this act for money heretofore paid the state shall be made within five years from the date of the passage of this act, and all claims under this act for money hereafter paid the state shall be made within five years from the time of such payment.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 110, A.] [Published April 22, 1895.

CHAPTER 249.

AN ACT conferring additional jurisdiction on the county court of Lincoln county, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Jurisdiction of county court of Lincoln county extended.

SECTION 1. The county court of Lincoln county, in addition to the powers and jurisdiction conferred by law on county courts, shall have cognizance of, and jurisdiction to hear, try and determine all actions and proceedings at law, except actions wherein the title to real property shall come in question, wherein the amount of debt, damages, demand, penalty or forfeiture shall not exceed the sum of five hundred dollars; actions founded on an account when the same shall be reduced to an amount not exceeding five hundred dollars by credits given, or by the set-off or demand of the opposite party; actions to recover the possession of personal property, with damages for the unlawful taking or detention thereof, wherein the value of the property claimed shall not exceed the sum of five hundred dollars, and all charges for offenses arising within said county, and which are not punishable by commitment to state's prison, offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Merrill, said county; and said court and the judge thereof, shall have power to pronounce judgment, sentence and commit all persons convicted of any crime or offense of which said court has jurisdiction; and in the exercise of the jurisdiction conferred on the county court by this act, said court shall have full power to grant adjournments and continuances, and take, and have, all necessary proceedings concerning or relating thereto as provided by law. Said court and the judge thereof, shall further

have all the jurisdiction, authority, powers and rights given by law to justices of the peace, together with the power and right, in his discretion, to charge the jury upon written charges or otherwise; and the proceedings and practice in said court, under this act, except as herein otherwise provided, shall be governed as far as practicable by the laws relating to justices' courts of this state.

Judgment by confession—how it may be entered.

SECTION 2. A judgment by confession may be entered by the judge of said court in any sum not exceeding one thousand dollars, without action, either for money due or to become due, or to secure any person against contingent liability on behalf of the defendant, or both, if a statement be made in writing, signed by the defendant, and verified by his oath to the following effect:

Must state amount of judgment.

1. It must state the amount for which judgment may be entered, and authorize the entry of judgment therefor by the judge of said court.

If for money due or to become due, must state that fact.

2. If it be for money due, or to become due, it must state concisely the fact out of which the indebtedness arose, and must show that the amount confessed therefor is justly due or to become due.

If to secure plaintiff to say so.

3. If it be for the purpose of securing the plaintiff against a contingent liability it must state concisely the facts constituting the contingent liability, and must show that the sum confessed does not exceed the same.

May appoint the municipal judge in case of absence of county judge.

SECTION 3. In case of the absence, sickness or disability of the county judge, he may by a written order, to be copied in his docket, appoint the municipal judge of Lincoln county to discharge the duties of county judge during such absence, sickness or disability, and the municipal judge so appointed, shall have and exercise all the duties, powers and jurisdiction of the county judge, as conferred by this act, while administering said office, and shall receive the same compensation, to be paid in like manner.

Cannot remove actions to any justice court.

SECTION 4. No action or examination shall be removed from the county court of Lincoln

county to any justice court of Lincoln county; but removals may be had from the county court to the municipal court of Lincoln county, upon like proceedings had as are now required by law in removal of causes in justices' court, and upon payment to said county judge, in addition to the amount prescribed by law, his taxable fees to the time of removal; and if the defendant recover judgment in the action, he shall be allowed to tax the amount paid to the county judge, as disbursements.

Removal of cases from justice of the peace to the county court.

SECTION 5. Whenever any action, examination or proceeding shall be removed from any justice of the peace in the county of Lincoln, upon the oath of the defendant, his agent or attorney, according to the provisions of law for such removal, if such defendant, his agent or attorney requests in writing to such justice that the action, examination or proceeding and all the papers therein be transmitted to the county court of Lincoln county, such justice of the peace shall forthwith transmit such action, examination or proceeding and all the papers therein, together with a copy of his docket, to the county court, and said court shall, upon receipt thereof, proceed with such action, examination or proceeding in the same manner as if originally instituted in the county court; provided, that no action, examination or proceeding shall be removed to the county court from any justice court in the city of Tomahawk, in said county, without the consent of the plaintiff.

Jury trials to be conducted the same as in justices' courts

SECTION 6. Jury trials may be had in the same manner and process as in justices' courts; provided, that the fees of jurors in county court shall be one dollar per day and four cents per mile travel in coming to and returning from said trial.

Peace officers of the court.

SECTION 7. Sheriffs and constables of Lincoln county shall have the same power to serve and execute process as of justices' courts, and shall be entitled to the same fees, and shall be subject to the same liabilities and penalties as in justices' court.

Two separate dockets to be kept.

SECTION 8. The county judge shall keep one docket for criminal trials, examinations and

proceedings, one docket for civil actions and a separate docket for the trial of offenses against the city charter and ordinances of the city of Merrill, in said county. In all civil actions, and in all criminal trials, examinations and proceedings in said court under this act, the docket entries and process shall be made, kept and filed in the same manner, as far as applicable to the county court, as the same are required to be kept by justices of the peace under the laws of this state; in the trial of offenses against the city charter, ordinances, by-laws, rules and regulations of the city of Merrill, in said county, the forms to be used, and the docket entries, process and proceedings, as far as the same shall be applicable to the county court, shall be substantially the same as required by chapter 6 of the city charter, and by the ordinances of the city of Merrill; provided, that in all civil actions, said judge may sign in blank, summons and other process and deliver the same to attorneys of courts of record throughout the county to be issued by them as occasion may require, and upon the filing of said summons or other process at any time before the day on which the same is made returnable, said judge shall forthwith docket said case, which docket entries shall have the same force and effect as if made at the time of issuing such summons or other process; provided, further, that no summons or other process issued by an attorney at law under the provisions of this act shall be valid unless said attorney shall endorse thereon, his name, or the name of the firm of which he is a member; which endorsement shall be substantially in the following form: "Issued by A. B., Attorney at Law;" provided further, that all process, except subpoenas, shall be made returnable at nine o'clock a. m., of the return day; and when any action, examination or proceeding in the county court shall be adjourned or continued to a day certain, it shall be set for trial at nine o'clock a. m. of the day to which the same has been adjourned or continued, unless otherwise agreed to by the par-

Judge may sign summonses and other process in blank.

ties; and at the hour above specified, the parties shall proceed to the trial of the case without delay, unless the same shall be adjourned or continued by the court, for cause shown, and upon such terms as may be just and equitable.

Fees the same as in justices of the peace court.

SECTION 9. In all actions, examinations or proceedings in the county court, under this act, the county judge shall have and receive the same fees as are now allowed by law to justices of the peace for like services, and the sum of one dollar in addition thereto for every criminal action, examination or proceedings in the county court; provided, that in all matters, examinations or proceedings of which the county court and judge thereof had jurisdiction before the passage of this act, it shall be lawful for the county judge to charge and receive the same fees and per diem as heretofore allowed by law for like services, to be paid in like manner; provided further, that where a phonographic reporter shall be called to take testimony in any action, examination or proceeding in the county court, the county judge shall be allowed the sum of six dollars per day for each day's actual attendance, and three dollars for each half day's attendance on such action, examination or proceeding, which sum shall be taxed as costs in the case, and paid in like manner as provided by this act for the payment of the phonographic reporter.

Extra pay for phonographic reporter.

Attorney's fee to be allowed the plaintiff. The amount according to judgment.

SECTION 10. In all actions in the county court, under this act, an attorney's fee shall be allowed to the plaintiff, if he recover judgment, as follows: If the judgment does not exceed twenty-five dollars, the sum of two dollars and fifty cents; if the judgment exceeds twenty-five dollars and does not exceed one hundred dollars, a sum equal to ten per cent. of the judgment; if the judgment exceeds one hundred dollars and does not exceed two hundred dollars, ten dollars on the first hundred dollars and five per cent. on the balance of the judgment; if the judgment exceeds two hundred dollars, fifteen dollars on the first two hundred dollars and two and one-half per cent. on the

balance of the judgment. In case judgment shall be for the defendant, he shall receive the same attorney's fee, and the amount claimed by the plaintiff shall be the basis for computing the same. In actions of replevin the value of the property as proved shall govern the amount of attorney's fee in case judgment is for the plaintiff; and the value of the property as claimed shall govern the amount of attorney's fee in case judgment is for the defendant. In any case not herein provided for, a reasonable attorney's fee may be allowed in the discretion of the court; provided, that no attorney's fee shall exceed the sum of twenty-five dollars; and provided further, that no attorney's fee shall be allowed unless the prevailing party shall appear in the action by an attorney of a court of record.

May appoint a phonographic reporter.

SECTION 11. The county judge may appoint a phonographic reporter, skilled in the art of shorthand reporting, for said court, and may remove him at pleasure and appoint another in his place. Every person so appointed shall be deemed an officer of said court, and shall, before entering upon the duties of his office, take and subscribe the constitutional oath and file the same, duly certified, with the clerk of the circuit court of Lincoln county. The reporter shall attend said county court whenever requested by the county judge, and perform such duties as the county judge may require. The reporter's notes shall be filed in lieu of the minutes required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, said reporter, when requested by the appellant, shall file a transcribed copy of his notes, which shall be returned as the testimony in the case; and the fees for transcribing said testimony, not exceeding five cents per folio, shall be taxed as part of the judge's fees in the case. Said reporter shall receive such compensation for taking testimony as shall be fixed by the county judge, not exceeding three dollars per day for each day's actual attendance, and two dollars

Compensation not to exceed three dollars per day.

for each half day's attendance on said court, which amount shall be taxed as costs in the case. In all cases wherein the county shall become liable for the costs, said fees shall be certified, audited and paid out of the county treasury monthly, upon filing with the county treasurer the certificate of the county judge, showing the title of the case, and the amount due said phonographic reporter for services therein. The sum per diem paid to the county judge and to the phonographic reporter, shall be in lieu of the fees allowed by law to justices of the peace for taking testimony in such case. Section 2439, of the revised statutes shall apply to said reporter and said court, and section 4141, of the revised statutes shall apply to transcribed copies of the testimony and proceedings taken by the reporter in the county court.

Transcripts of judgments may be filed with the clerk of the circuit court.

SECTION 12. Transcripts of judgments of the county court in civil actions, may be filed and docketed with the clerk of the circuit court of said county, with the same effect as may be transcripts of judgments rendered by justices of the peace in said county; and appeals from said court, in all cases arising under this act, may be taken in the same manner and with like effect as are provided by law in case of appeal from final judgments in justices' court.

Court shall be open for business daily—exception.

SECTION 13. The county court shall be open for the transaction of business daily (Sundays and legal holidays excepted) at nine o'clock a. m., and said court shall be held in some suitable room in the city of Merrill, in said county, to be provided and furnished under the direction of the county judge at the expense of Lincoln county; provided, that said county judge may hold court in the court house in the city of Merrill, said county, whenever he may deem it necessary. All dockets, blanks and stationery used in the county court in the trial of civil and criminal cases shall be furnished at the expense of Lincoln county. All dockets, blanks and stationery used in the county court in the trial of offenses against the city charter and ordinances of the city of Merrill, shall be furnished at the expense of said city.

Blanks and stationery shall be furnished by the county.

City to furnish blanks, when.

Statutes to apply to this court.

SECTION 14. All the provisions of title 30, of the revised statutes, entitled, "Proceedings common to all courts," as far as applicable shall apply to all actions, examinations and proceedings in the county court.

SECTION 15. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 474, A.] [Published April 27, 1895.

CHAPTER 250.

AN ACT relating to the punishment of vagrancy, drunkenness, and similar offenses, and the fees of officers in prosecution therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Vagrancy and intoxication in a public place punished by imprisonment.

SECTION 1. Whenever any person shall be convicted in any court of this state, of vagrancy, intoxication in a public place, indecent exposure of the person or disorderly conduct, and shall be sentenced to imprisonment in the county jail, or to any workhouse of or in any county, for such offense, the court shall also sentence such person to hard labor during the term of such imprisonment, and such labor may be compelled to be performed either within or without the jail in all respects as in case of a sentence upon conviction for being a tramp. The provisions of this section shall apply to convictions under city or village charters or ordinances, as well as to convictions under the general statutes of the state.

County board of supervisors to fix and regulate compensation of prosecuting officers.

SECTION 2. The county board of supervisors of any county may, from time to time, fix and regulate the fees or compensation of officers and magistrates for services performed in all prose-

cutions for any of the offenses named in the first section of this act, except when such prosecution shall be brought under a city or village charter or ordinance, and no greater compensation than that so fixed shall be had or allowed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 216, A.] [Published April 26, 1895.

CHAPTER 251.

AN ACT to authorize N. G. Nelson to maintain a dam on the Little Wolf river in the county of Waupaca.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

May construct and maintain a dam.

SECTION 1. That N. G. Nelson, his associates, and assigns, are hereby authorized to construct and maintain a dam in and across the Little Wolf river at a point forty-two rods north, and twelve rods west from the quarter post on the south side of section twenty-one in township twenty-three north, in range thirteen east, in said county of Waupaca; provided, that such dam shall not be so constructed as to raise the water in said stream at said dam to exceed eight feet.

Suitable slides for running of logs to be placed therein.

SECTION 2. The said N. G. Nelson, his associates and assigns, shall as soon as said dam is built place therein in a suitable place to accommodate logs and timber floating in said stream, suitable slide or slides as necessity shall require for running logs and timber over the same, and keep the same in repair as long as the said stream shall be used for the floating of logs and timber from above said dam to below same,

and the same shall be kept open at all times when the said river is at a suitable stage of water at said dam for the running of logs and timber, and there are logs and timber to run over said dam.

Shall not impede the flow of water.

SECTION 3. Whenever logs or timber are being run in said stream, below the said dam the said N. G. Nelson or his assigns, shall not by means of said dam diminish the water in said stream from flowing over said dam below the full volume of water in the stream.

May occupy enough of the stream to erect mills and machinery.

SECTION 4. The said N. G. Nelson and his assigns are hereby granted the right to use and occupy so much of the bed of said stream adjacent to said dam as may be necessary for the erection and maintenance of mills and machinery for the purpose of utilizing the water by means of said dam.

Shall not charge any toll.

SECTION 5. The said N. G. Nelson, or his heirs or his assigns, shall not charge or impose any toll or compensation for the passage of logs or timber over the said dam.

May use the created water power as they see fit.

SECTION 6. The said N. G. Nelson and his assigns may use the water power created by means of the said dam for manufacturing purposes in such lawful manner as they see fit. The legislature reserves to itself the right to amend, alter or repeal this act.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 231, A.] [Published April 27, 1895.

CHAPTER 252.

AN ACT to amend section 2815, of Sanborn and Berryman's annotated statutes of the state of Wisconsin, relating to the powers of county judges and court commissioners.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County judge or court commissioner cannot vacate or set aside any judgment of a circuit court.

SECTION 1. Section 2815, of Sanborn and Berryman's annotated statutes is hereby amended by adding after the word "record" in the eleventh line of said section the following words: "No county judge or court commissioner, however, shall have power to vacate or set aside any judgment of a circuit court," so that said section as amended shall read as follows: Section 2815. Where these statutes authorize an order or proceeding to be made or taken by the court it must be done by a court in session; where these statutes authorize an order or proceeding to be made or taken by the presiding judge or by the circuit judge, using such words of designation, no county judge or court commissioner can act. Except as so provided or otherwise expressly directed in particular instances a county judge or court commissioner may exercise within his county the powers and shall be subject to the restrictions thereon of a circuit judge at chambers, according to existing practice, and these statutes in all actions or proceedings in courts of record. No county judge or court commissioner, however, shall have power to vacate or set aside any judgment of a circuit court; but all such orders may be reviewed by the court.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 18, S.] [Published April 26, 1895.

CHAPTER 253.

AN ACT to revise the school code of the state of Wisconsin, with accompanying report.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

J. Q. Emery appointed commissioner to investigate township system of school government and may report by bill.

SECTION 1. J. Q. Emery is hereby appointed a commissioner to thoroughly investigate the workings of the township system of school government in such states as may have adopted that system, inquire particularly into the methods of administration, the advantages and disadvantages of its practical operation, as compared with the district system, and to report upon the expediency or inexpediency of inaugurating the township system in this state, and if deemed expedient, to recommend by bill to be submitted to the legislature to convene in January, 1897, within fifteen days after the opening of such legislature, provisions for inaugurating the township system in this state, so adjusted in its details that no injury to the present system of high and graded schools shall result, and a higher efficiency of the ungraded schools, if possible, shall be promoted. Such bill shall include a complete revision of the existing school laws of this state, with such changes as the commissioner may deem wise and necessary, bringing all laws upon school matters together, in their proper relations and connections, in one code.

Authorized to visit other states and personally inspect their systems.

SECTION 2. The said commissioner is authorized in pursuing the investigation and preparing the report herein required, to visit other states, to consult prominent educators and to personally inspect in detail the workings of the township system where such system is in use. He shall, if deemed advisable by him to prepare a bill for the township system in this state, complete the same on or before the first day of

March, 1896, and cause the same to be printed by the state printer, as other state printing is done. When so completed and printed, the said commissioner shall invite the president of the university of Wisconsin, the senior president in service of the state normal schools, two county superintendents of schools of long experience, the state supervisor of high schools, and such others prominent as teachers, superintendents, or especially interested in public education as he may deem expedient or advisable, to consider with himself the details of the bill so prepared, and to suggest such changes as they may agree upon as necessary and expedient. A sufficient number of copies of the bill shall be printed, that a copy may be forwarded to the leading teachers, and school superintendents and officers of the state, and officers of the several educational associations of the state, with a request that the same may be carefully examined, and made the subject of consideration in public meetings and conventions of educational associations held after the receipt of the same, and for suggestions relating thereto. When the suggestions and recommendations have been received and carefully considered, the said commissioner shall make a final revision of the bill, embodying the suggestions that shall be agreed upon by the consulting and advisory committee convened by the commissioner under the provision of this section, in form for presentation to the legislature, at the time hereinbefore mentioned.

May prepare a bill and invite counsel of educators to suggest changes.

Final revision of bill to be made.

SECTION 3. If the commissioner and the consulting and advisory committee herein authorized shall determine that it is inexpedient to establish the township system of school government in this state, the commissioner shall then prepare a complete revision of the existing school laws of this state, with such changes as he may deem wise and necessary, bringing all laws upon school matters together, in their proper relations and connections in one code, and after the same shall have been considered and approved by the consulting and advisory

May prepare complete revision of the existing schoo laws of the state—when. Report to the legislature of 1897.

committee herein authorized, shall submit the same to the legislature within fifteen days after it shall assemble in January, 1897, and in either case shall accompany the bill he may present with a full report of his action and recommendations under the provisions of this chapter.

$3,750 appropriated as expenses and compensation. When to be paid.

SECTION 4. For the purpose of compensating such commissioner, defraying expenses incurred in travel, consultation and all other expenses authorized by this chapter, there is hereby appropriated out of any moneys in the general fund not otherwise appropriated, the sum of thirty-seven hundred and fifty dollars, one-half of which shall be paid to the said J. Q. Emery on the first day of May, 1895, and the other one-half on the first day of May, 1896. After making his report as herein provided and required he shall make out and file with the secretary of state a written statement of the amount from time to time applied as compensation, and the amount expended in the manner herein otherwise authorized.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 241, A.] [Published April 26, 1895.

CHAPTER 254.

AN ACT to remove and prevent obstructions across the Yahara or Catfish river and lakes Monona and Waubesa, in Dane county, Wisconsin, in the town of Blooming Grove.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. No bridge or other construction shall be built across the Yahara, commonly

known as the Catfish river, or across lake Monona and lake Waubesa, in the town of Blooming Grove, Dane county, Wisconsin, except as hereinafter stated, unless there shall be in the center of said bridge or construction an opening free from all obstruction, not less than twelve feet in width and not less than six feet in height from the high water mark of said river or said lakes. This act not apply to any bridge or other construction now built across the Yahara, commonly known as the Catfish river, or across any of the above named lakes in the city of Madison, town of Madison, or sections six and seven, in the town of Blooming Grove.

Obstructions built across or in the Catfish river to be removed.

SECTION 2. All bridges or other constructions now built and maintained across the river or lakes and in the town set forth in section 1 of this act shall be altered to conform to section 1 of this act on or before the first day of July, 1895, and any person, corporation or town who owns or maintains a bridge or construction across said river or lakes in said town who does not alter the same to conform to section 1 of this act on or before the first day of July, 1895, shall be deemed guilty of a misdemeanor, and shall be liable to a fine of five dollars for each day after the said first day of July, 1895, that said bridge or construction remains across said river or lakes in said town and is not so altered, to be recovered in a civil action by the state in any court having jurisdiction; the amount so recovered to become a part of the school fund of the state.

Present bridges to be altered to conform to sec. 1 of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 165, A.] [Published April 26, 1895.

CHAPTER 255.

AN ACT to repeal chapter 464, of the laws of 1891, and to re-enact section 905, of the revised statutes, relating to villages.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Improvement and grading of streets in villages. Levy of tax authorized.

SECTION 1. Chapter 464, of the laws of 1891, is hereby repealed.

SECTION 2. Section 905 of the revised statutes, is hereby re-enacted as follows: Section 905. The village board may cause any street, or any part of any street, not less than sixteen rods in length, to be graded, paved, macadamized, or otherwise improved, or any sidewalk or gutter to be built, upon a petition therefor in writing, signed by at least a majority of all the owners of real estate bounding both sides, and of the owners of at least one-half the frontage of such street or part of street to be improved; or order any sidewalk or gutter on one side of a street to be built, on the petition of a majority of such owners, and of the owners of at least one-half the frontage on such side; and may order any sidewalk or gutter previously built to be put in repair, when necessary, without petition. For the purpose of so improving any street or building, or repairing any sidewalk or gutter, the village board may levy and cause to be collected upon the lots, tracts or parcels of ground on such street or part of street improved, or on the side thereof, where only such sidewalk or gutter is to be built, and upon the owners thereof, a tax sufficient to pay the expense of constructing such improvement as ordered, opposite such property to the center of the street, or such proportion thereof, not less than half, as they shall deem justly assessable to such property, if they shall think the whole ought not to be so assessed; in which case

the remainder shall be paid from the village treasury. Every such tax for repair shall be for the entire cost of repairs in front of the property so taxed. If any tax levied under this section shall prove insufficient to pay the cost or proportion thereof assessed to such property, the village board may levy an additional tax thereon to make good such deficiency.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 266, A.] [Published May 2, 1895.

CHAPTER 256.

AN ACT to prevent unjust discrimination by insurance companies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

"Three quarter" clause prohibited.

SECTION 1. No insurance company doing business in this state shall hereafter issue any policy of insurance containing a "three-quarter" clause or any other clause or provision requiring the assured to carry any part of the risk upon the property insured, or limiting the amount to be paid in case of loss below the actual cash value of the property, if within the amount of insurance for which premium is paid.

SECTION 2. This act shall take [effect] and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 284, A.] [Published April 27, 1895.

CHAPTER 257.

AN ACT to regulate the sanitary condition of creameries, cheese factories and surroundings and providing for the seizure and condemnation of imitation dairy products.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Dairy and food commissioners to have free access to creameries, cheese factories, etc., and may inspect the same.

SECTION 1. The dairy and food commissioner or his agents shall have full access and ingress to any factory or building where any product of the dairy is manufactured or stored for sale or shipment of the same and shall be empowered to enforce such measures as may be necessary for the perfect cleanliness of said factories, buildings and surroundings, also for the cleanliness of all the utensils necessarily used in the manufacture and general handling of the dairy product. Any person refusing the privilege of such access to the dairy and food commissioner or his agent, or opposing him in any way shall be considered as having committed a misdemeanor.

Warrant may be issued to seize unlawful substances.

SECTION 2. When complaint shall be made on oath to any magistrate authorized to issue warrants in criminal cases that imitation butter or imitation cheese or any substance designed or intended to be used as a substitute for butter or cheese is in the possession or under the control of any person or persons contrary to the provisions of law of this state and that the complainant believes that it is concealed in any particular warehouse, store or refrigerator for mercantile purposes, the magistrate if he be satisfied that there is cause for such belief shall issue his warrant for such property.

Sheriff or his deputy shall serve the warrants.

SECTION 3. All such warrants shall be directed to the sheriff of the county or his deputy or to any constable of the county, commanding such officer to search the house, building,

store or other place where the imitation butter or imitation cheese or any substance designed or intended to be used as imitation butter or cheese for which he is required to search is believed to be concealed, which place and property to be searched for shall be designated and described in the warrant, and to bring such property when found and the person or persons in whose possession the same shall be found before the magistrate who issued the warrant or before some other magistrate or court having cognizance of the case.

Unlawful substances to be seized and kept under the direction of the court.

SECTION 4. When any officer in the execution of a search warrant under the provisions of this act shall find any imitation butter, or cheese, or any substance designed or intended to be used as an imitation for butter or cheese and for which a search is allowed by this act, all the property so seized shall be safely kept by the direction of the court or magistrate, so long as shall be necessary for the purpose of being produced as evidence on any trial; provided, that it shall be the duty of the officer who serves a search warrant issued for imitation butter or imitation cheese or any substance designed or intended to be used as imitation for butter or cheese and alleged to be in his possession or under the control of any person or persons contrary to law, to deliver to the state dairy and food commissioner, or to any person by such commissioner authorized in writing to receive the same, a true and perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed. If any sample be found to be imitation butter or imitation cheese, or substance designed or intended to be used as an imitation for butter or cheese and that the same at the time of such seizure, was in the possession or under the control of any person or persons contrary to any of the provisions or requirements of this act, then and in such case, the property so seized, shall be confiscated and destroyed, under the direction of the court or magistrate, otherwise the same shall be forthwith returned to the person or persons from whom it was taken.

Fine and imprisonment for violation of the law.

SECTION 5. Any person or persons violating any of the provisions or sections of this act shall be guilty of a misdemeanor and upon conviction thereof, be fined not less than twenty-five nor more than fifty dollars for the first offense, and for each subsequent offense not less than fifty nor more than one hundred dollars, or to be imprisoned in the county jail not less than thirty nor more than ninety days in the discretion of the court, before whom such conviction may be had.

Informer to receive half of the fines.

SECTION 6. One-half of all fines collected under the provisions of this act shall be paid to the person or persons furnishing information upon which conviction is procured.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 46, A.] [Published April 26, 1895.

CHAPTER 258.

AN ACT defining the crime of indecent exposure and fixing the punishment therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Penalty for taking improper liberties with child under 14 years of age.

SECTION 1. Any male person over the age of sixteen years, who shall take indecent or improper liberties with the person of a female child under the age of fourteen years with or without her consent, without intending to commit the crime of rape on such child, shall, on conviction thereof, be punished by imprisonment in the state prison, not more than two years nor less than one year, or by imprisonment in the county jail not more than six

months, or by a fine not exceeding two hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 515, A.] [Published April 27, 1895.

CHAPTER 259.

AN ACT to amend section 4843, of the revised statutes of Wisconsin, relating to the appointment of agents to receive fugitives from justice, by the governor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Pay of agents who receive fugitives from justice $8 per day and necessary traveling expenses.

SECTION 1. Section 4843, of the revised statutes of Wisconsin is hereby amended by adding to the end of said section the following words, to-wit: "Said agent shall receive for his services eight dollars per day for the time necessarily engaged as such agent, and his actual and necessary expenses while acting as such agent, and shall make and present to the county board of said county an itemized verified account, stating the number of days engaged and number of miles traveled, and each item of expense while acting as such agent and no mileage shall be allowed him whatsoever."

SECTION 2. This act shall take effect and be in force from and after the first Monday in January, 1897.

Approved April 17, 1895.

No. 121, A.] [Published April 26, 1895.

CHAPTER 260.

AN ACT to amend section 604, of the annotated statutes, relating to sheriff's fees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Pay of sheriffs for taking insane personsto hospital.

SECTION 1. Section 604 of the annotated statutes, is hereby amended by striking out all after the word "cases" where it appears in line four, and before the word "witnessess" where it appears in line nine of said section, and inserting the following: "For taking an insane person to the hospital or removing one therefrom five dollars per day, railroad fare, and his actual expenses and the actual expenses for the support and transportation of such insane person, and three dollars per day, railroad fare, and necessary expenses of such assistants as may be ordered by the county judge; vouchers to be rendered for expenses in all cases," so that said section, when so amended, shall read as follows: Section 604. The sheriff shall be allowed the following fees: for arresting and bringing a person charged with insanity before the county judge and subpoenaing witnesses the same fees as are allowed in other cases; for taking an insane person to the hospital or removing one therefrom five dollars per day, railroad fare and his actual expenses and the actual expenses for the support and transportation of such insane person, and three dollars per day, railroad fare and necessary expense of such assistants as may be ordered by the county judge, vouchers to be rendered for expenses in all cases; witnesses subpoenaed before the county judge the same fees as allowed by law in other cases; said fees and charges to be paid out of the county treasury.

SECTION 2. This act shall take effect and be in force from and after the first Monday in January, 1897, after its passage and publication.

Approved April 17, 1895.

No. 546, A.] [Published April 20, 1895.

CHAPTER 261.

AN ACT to amend section 1051, of the revised statutes, relating to assessment of bank stock.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1051, of the revised statutes is hereby amended so as to read as follows: Section 1051. Upon the demand of the assessor, the president, cashier or other officer in charge of any incorporated bank, shall make out and deliver to such assessor annually, before the 1st day of June, a statement showing the name and residence of each stockholder therein on the 1st day of May preceding, and the amount of stock owned or held by him on that day. And the assessor shall assess said bank stock as other taxable property in his assessment district; excluding, however, the valuation, as assessed for taxation, of any real estate owned and occupied by said bank in the transaction of its business. Assessment o bank stock.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 310, A.] [Published April 26, 1895.

CHAPTER 262.

AN ACT relating to commissioners of health in all cities having a population exceeding one hundred thousand.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Duty of commissioner of health to provide place for people sick with contagious diseases.

SECTION 1. It shall be the duty of the commissioner of health in all cities having a population exceeding one hundred thousand inhabitants, wherever the office of commissioner of health shall be provided for by law, or by the ordinances of such city, to procure suitable places for the reception of persons sick with any pestilential, contagious or infectious disease, and in all places where sick persons cannot otherwise be provided for, to procure for them proper medical attendance and provisions, and to forbid and prevent all communication with any house or family infected with any such disease. It shall be the duty of such commissioner of health to place in a proper isolation hospital, under the care of competent nurses, any person who may be found in such city laboring under any of the following diseases, to-wit: Smallpox, diphtheria, scarlet fever, measles, typhus fever, or any other dangerous, contagious or infectious disease, or when such person is a non-resident of such city, a traveler, a guest at a hotel, or has no residence of his own in the city, where he can be taken care of: provided, however, that no such person or persons shall be removed to any isolation hospital in such city who can be nursed and cared for during such illness in his or her home, except upon the recommendation and advice of such commissioner of health, or one of his assistant commissioners of health, and the physician attending upon such child or person not being a member of the board of health of such city; and

Diseases enumerated.

in case such commissioner or assistant commissioner, and such physician, shall be unable to agree as to the advisability of removing such child or person, then they shall call in and appoint another physician not a member of said board of health, or health department, and the decision of the majority of such commissioners and physicians shall be decisive of the question. The third physician called in as above provided shall not receive or be entitled to any fees from such city for such consultation or services, in the decision of the case submitted to the board of such physician; and provided further, that no child eight years of age or under shall be so removed unless permission is granted its mother or some person akin to it, if such there be, to attend upon such child in such isolation hospital.

SECTION 2. All laws conflicting with the provisions of this act are herebv repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 409, A.] [Published April 26, 1895.

CHAPTER 263.

AN ACT for the collective binding and distribution of public documents.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Collecting and binding public documents; number of each and title of volume.

SECTION 1. The secretary of state shall cause the state printer to collectively bind in half Russia, backs and corners, with paper sides, in two volumes, in style similar to the public documents of Massachusetts for the year 1893, five hundred sets of the Wisconsin state documents

provided for in section 3, chapter 526, laws of 1889, including also the reports of the dairy and food commissioner, the state veterinarian, and such other reports of commissions or state departments as may hereafter be established. Each volume shall have a general title page, and also, on a separate leaf, a numbered table of contents. Upon such title page, such collection shall be styled, "Public Documents of the state of Wisconsin, being the biennial reports of the various state officers, departments, and institutions, for the fiscal term ending September 30;" there shall also be given upon such title page, the number of the volume. Said volumes shall be lettered on the back, "Wisconsin Public Documents," together with the number of the volume and the years the reports cover; for example, the documents for the fiscal period, 1893 and 1894, being lettered "1893 and 1894." The provisions of this act, so far as they relate to style of binding and lettering, shall apply to the documents for 1893 and 1894. To provide for the bound documents herein ordered, the secretary of state shall cause to be printed by the state printer, at an additional charge only of presswork and binding, three hundred copies of the following reports in addition to the number now required by law: Of the commissioners of public lands; of the commissioners of fisheries; of the state supervisor of illuminating oils; of the Milwaukee county insane asylum; and of the industrial school for girls.

Distribution of public documents.

SECTION 2. The bound volumes of public documents provided for in the preceding section, shall be distributed as follows, through the superintendent of public property: One copy to each state officer, head of a state department, state board, state institution, and county clerk, to remain in their respective offices; one copy upon application being made therefor to the library of each normal school, college, incorporated academy and free high school in the state; one copy upon application to each public library in the state having one thousand or

more volumes; and fifty copies to the state historical society, as the trustee of the state, for the purpose of effecting exchanges with other libraries. The residue shall remain in charge of the superintendent of public property for the purpose of future distribution in accordance with this act.

SECTION 3. Chapter 309, laws of 1891, and all acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 408, A.] [Published April 26, 1895.

CHAPTER 264.

AN ACT amending section 340, of the revised statutes of 1878, providing for the publication of the reports of the State Historical Society.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Historical society collections to be printed biennially, printing, binding of said reports.

SECTION 1. Section 340, of the revised statutes of 1878, as amended by chapter 515, of the laws of 1889, is hereby amended so as to read as follows: Section 340. Twenty-five hundred copies of the collections of the State Historical Society shall be printed by the state printer, not oftener than once in two years, commencing in the year 1895. Such collections shall be printed on the best quality of book paper, weighing not less than eighty pounds to the ream, and bound in cloth and properly lettered, for the use of the society, as the trustee of the state, in effecting its literary exchanges, and

Matter to be approved by printing commissioners.

for the information of the people of the state. The matter for such publication shall be subject to the approval of the commissioners of public printing and the publication committee of the State Historical Society, and no volume of such collections shall contain over five hundred pages of printed matter, except by special permission of said commissioners of public printing. There shall also be printed annually by the state printer, twelve hundred copies of the report of the proceedings of the annual meetings of the State Historical Society, commencing in the year 1895. Such reports shall be printed on the same quality of book paper as that on which other state reports are printed, and bound in pamphlet form. There may also be printed, not oftener than once in five years, commencing in the year 1895, two thousand copies of the catalogue of the society's portrait gallery and museum, on the same quality of book paper as that on which other state reports are printed, and bound in pamphlet form. There may also be printed from time to time, in the discretion of the commissioners of public printing, such special class catalogues as may be deemed essential by the library committee of said society. Of each such special class catalogue there shall be printed twelve hundred copies on the same quality of paper as the collections of said society are printed, and bound in pamphlet form.

Proceedings of annual meetings and special class catalogues, also to be printed.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 395, A.] [Published April 26, 1895.

CHAPTER 265.

AN ACT to permit the building of a wagon bridge across Black river, in the counties of La Crosse and Trempealeau.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The legal representatives of the county of La Crosse and the town of Gale, in the county of Trempealeau, are hereby authorized and empowered to construct and maintain a public wagon bridge over and across Black river at the point on said river known as Gordon's Ferry; and for such purpose they may erect piers, drive piles, build embankments and approaches in said river, and on the banks thereof, suitable and necessary for the proper construction and maintenance of said bridge, and the enjoyment of the rights hereby granted or intended to be granted to the public.

County of La Crosse and town of Gale authorized to build a bridge over Black river.

SECTION 2. The right is hereby reserved to the state to alter, amend or repeal any or all of the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 519, A.] [Published April 26, 1895.

CHAPTER 266.

AN ACT to provide for the better protection of life and property against forest fires.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State forest warden and deputy forest warden created.

SECTION 1. The chief clerk of the state land office shall be the state forest warden, and the assistant chief clerk of the state land office shall be the deputy forest warden, neither of whom shall receive any additional compensation for the duties performed under the provisions of this act. It shall be the duty of the state forest warden and his deputy, to supervise all town fire wardens, and all other persons however designated, appointed or elected under the provisions of this act, or others of similar nature, for the protection of life and property against forest fires. The state forest warden shall formulate and publish all proper and necessary regulations to govern fire wardens with a view of preventing and controlling forest fires, and shall keep a register of the names and postoffice address of all fire wardens in the state and a record of all fires reported and complaints of neglect or violation of the provisions of this act.

Duties defined.

Town supervisors and ward superintendents are constituted fire wardens.

SECTION 2. The supervisors of the town and road superintendents in this state are hereby constituted fire wardens of their several towns, and the chairman of the town board of each town shall be the chairman of the town fire wardens; he shall report the names and postoffice address of all the fire wardens of his town to the state forest warden on or before the first day of May in each year. It shall be the duty of said fire wardens to take precautions to prevent the improper setting or progress of fires, and when a fire is observed therein, to immediately summon such assistance as they may deem necessary, go at once to the scene of it,

Their duties defined.

and, if possible, extinguish it. They shall cause to be posted at places frequented by camping parties, tourists, hunters and fishermen, in their respective towns, warnings against causing fire, to be printed in large letters on cloth and to be furnished by the forest warden; and any one wantonly tearing down or defacing any notice posted under this act shall be liable to pay a fine of ten dollars. Fire wardens shall duly report the occurrence of fires to the forest warden, the cause of the same to the best of their information, and the amount of property destroyed. Fire wardens and such persons as they may employ shall be paid for their services by the towns in which such fires occur, but at the rate of not exceeding one dollar and fifty cents per day, but no fire warden shall be paid in any one year for more than ten days' service in extinguishing or preventing fires, nor for more than five days' service in posting notices, nor in the aggregate for more than fifteen days' service, of whatever character, in any one year; nor shall any one person, employed by fire wardens to assist in extinguishing or preventing fires be paid for more than five days of such service in any one year. No towns shall expend more than one hundred dollars of public money under this act in any one year. No payment shall be made to fire wardens, or to any person they may employ, until they shall have rendered an itemized account, duly subscribed and sworn to by them respectively, which account shall be left on file with the officer making the payment.

Fires on lands to be totally extinguished by parties building them.

SECTION 3. Any person who shall build a fire on any lands in this state, not his own or under his control, except as hereinafter provided, shall before leaving the same, totally extinguish such fires, and upon failure to do so, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail, not exceeding one month, or by both such fine and imprisonment. Any person who shall

Penalty for setting fires, or failure to extinguish them.

wilfully or negligently set fire to, or assist another to set fire on any land, whereby such land is injured or endangered, or who wilfully or negligently suffers any fire upon his own land to escape beyond the limits thereof to the injury of the land of another, shall upon conviction thereof, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding one month, or by both such fine and imprisonment, and be liable to the person injured for all damages that may be caused by such fire. And during the months of July, August, September and October of each year no fire shall be set upon any land, in any town in this state, for any purposes other than the purposes provided for in section 4, of this act, and providing the fire wardens have posted at least one notice in each road district in the town requiring that no such fires shall be set, except upon the written permission of one of the fire wardens of said town.

Reasonable precautions to be observed by hunters, trappers, fishermen, etc.

SECTION 4. All hunters, trappers, fishermen, campers, surveyors, prospectors, land locators, travelers or other persons who start camp fires shall exercise all reasonable precautions to prevent damage from the same, and shall extinguish the same before leaving them. The penalty for failure to comply with the requirements of this section shall be a fine of not less than thirty dollars and costs, or imprisonment in the county jail not more than six months for each offense.

Railroad companies required to keep its right of way clear of grass and weeds.

SECTION 5. Every railroad company shall, at least once in each year, cut and remove from its right of way all grass and weeds, but under proper care and at times when fires are not liable to spread beyond control. All locomotives shall be provided with and shall use approved and sufficient arrangements for preventing the escape of fire and sparks so far as the same can reasonably be done. No railroad company shall permit its employes to deposit fire, live coals or ashes upon their tracks outside of yard limits, except that they be immediately extinguished, and where engineers, conductors or train men

discover that fences, or other material along the right of way of lands adjacent to the railroad are burning or in danger from fire, they shall report the same at their next stopping place, at which there is a telegraph station. In seasons of drouth, railroad companies shall give particular instructions to their section employes for the prevention and prompt extinguishment of fires; they shall cause notices, that shall be furnished by the forest warden, to be posted at their stations; and where a fire occurs along the line of their road, or adjacent thereto, they shall concentrate such help and adopt such measures as shall most effectually arrest its progress. Any railroad company, or any of its employes violating the requirements of this act, shall be liable to a fine of one hundred dollars for each offense.

Disposition of fines.

SECTION 6. All fines collected under this act shall be disposed of as other fines are.

SECTION 7. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

$300 annually appropriated.

SECTION 8. There is hereby appropriated out of the general fund of the state the sum not to exceed three hundred dollars annually to carry out the provisions of this act.

This act to be read at town meetings.

SECTION 9. This act shall be read by the town clerk of each town to the people assembled at the annual town meeting at the time fixed for the transaction of the town business.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 178, A.] [Published April 26, 1895.

CHAPTER 267.

AN ACT to amend chapter 245, of the laws of 1891, relating to the commitment of dependent children.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Wishes of parents or guardians to be consulted before committing dependent children to industrial schools.

SECTION 1. All courts, judges, justices of the peace, superintendents of the poor, supervisors and other officers, authorized by law to commit or apply for the commitment of dependent children to industrial schools, asylums or other institutions for the care of dependent children, shall, when applying for, and before such commitment, upon the application of the parents or guardians of such children take into consideration in selecting the institution or asylum to which such child shall be committed, the wishes of such parents or guardians; but in case no such application is made by such parents or guardians, such child shall be committed to the state public school.

Children can not be removed without consent of officers of the institution or guardians or parents.

SECTION 2. All children now and hereafter committed by any court, judge, justice of the peace, superintendent of the poor, supervisor or other officer to any industrial school, orphan asylum or other institution, or provided for in any such institution, shall not be removed therefrom to the state public school for dependent children or to other institutions for the care of dependent children, without the express consent of the officers of the institution to which they have been committed, or in which they are provided for, or the parents or general guardians of such children or the state board of control, or in case in which the county contributes to the support of any child said county may, by a majority vote of its board of supervisors, remove said child from said institutions.

SECTION 3. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 706, A.] [Published April 26, 1895.

CHAPTER 268.

AN ACT to authorize the village of Wauzeka, in the county of Crawford, and state of Wisconsin, to construct and maintain a toll bridge across the Wisconsin river from a point in the village or town of Wauzeka, to a certain point in the town of Millville or Woodman, in the county of Grant, in said state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The village of Wauzeka, in the county of Crawford, and state of Wisconsin, its successors and assigns, are hereby authorized and empowered to construct and maintain a toll bridge across the Wisconsin river, from a point either in section nineteen, in township seven north, of range four west, or in section twenty-four in township seven north, of range five west, to a certain point in section thirty, i township seven north, of range four west, or section twenty-five, in township seven north, of range five west in the county of Grant in said state; said bridge to be not less than sixteen feet wide and to be provided with good strong railings on the sides; provided, the location and construction of said bridge shall be approved by the war department.

Village of Wauzeka may construct a toll bridge.

Shall contain a suitable draw.

SECTION 2. A suitable draw shall be constructed in said bridge of sufficient width, not less, however, than one hundred feet in the clear when open for the free passage of steamboats, and the same shall be so located and of sufficient height as not to obstruct the free passage of rafts with their deck loading and of timber, lumber and logs passing down said river, and said draw shall be open at all times free of charge for the passage of steamboats up and down said river when they shall desire so to pass.

May demand and collect tolls.

SECTION 3. Said village of Wauzeka, its successors and assigns, shall have the power and the legal right immediately after the completion of said bridge to demand and receive and collect tolls for passage over said bridge at rates not exceeding the following: For any vehicle drawn by two horses, mules or oxen, twenty-five cents; for any vehicle drawn by one horse or mule, fifteen cents; for horses or cattle in droves of ten or less, five cents per head, and for droves of more than ten, three cents per head; for droves of swine or sheep of not more than ten, three cents per head, and for droves of more than ten, two cents per head, and for each foot passenger five cents each way.

Rates of toll to be posted over bridge.

SECTION 4. Said village, its successors and assigns, shall keep posted on said bridge in a conspicuous place a schedule of the rates to be charged for passage over said bridge not exceeding the rates limited by this act.

Shall be in force 20 years.

SECTION 5. If the conditions contained in this act are fully kept and performed, this act shall continue in full force and operation for the period of twenty years from the passage hereof, unless sooner repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 186, A.] [Published April 26, 1895.

CHAPTER 269.

AN ACT to regulate the propelling of steam engines on highways in the nighttime.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Suitable precaution prescribed for moving steam engines on public highways.

SECTION 1. Any person or persons owning, propelling or causing to be propelled, or hauling any steam engine, in the nighttime, shall cause a person or persons, to go and be at all times, in advance of such engine at a distance of at least twenty and not more than thirty rods, carrying a good, clean, red lantern, well lighted, and whenever such person going in advance of such engine, shall meet any team of any kind, or any person or persons, riding or driving any animal, and desiring to pass such engine, he shall give a signal to stop to the person or persons in charge of such engine, and the person or persons in charge of the engine, shall immediately upon receiving such signal stop such engine, and render all assistance possible, to enable such team, person or persons so riding or driving any animal to pass such engine in safety.

Penalty for violating the provisions of this law.

SECTION 2. Every person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished therefor by a fine of not less than five dollars nor more than fifteen dollars or by imprisonment in the county jail of the proper county not more than twenty days.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 54, A.] [Published April 19, 1895.

CHAPTER 270.

AN ACT providing for non-payment of taxes on wide-gauge sleighs.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Wide-gauge sleighs exempt from taxation.

SECTION 1. Any person who shall purchase for his or her use a wide-gauge sleigh, said gauge to be four feet and six inches from center to center of runners, shall be exempt from taxation thereon.

Assessors to list but not assess the same.

SECTION 2. It shall be the duty of the assessors throughout the state to return the number of said sleighs as they shall find, but place no value on the same.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 711, A.] [Published April 26, 1895.

CHAPTER 271.

AN ACT authorizing the town of Ellington, Outagamie county, to construct a bridge across Wolf river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Town of Ellington authorized to build a bridge over Wolf river.

SECTION 1. The town of Ellington, in Outagamie county, is hereby authorized to build and maintain a bridge across Wolf river, at a point near the center of section eighteen, where

lots two, three, five and six intersect, town twenty-two, range sixteen east; provided, that nothing herein shall be held or construed to authorize any impeding or obstruction of the free navigation of the said Wolf river for boats, logs or lumber.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 640, A.] [Published April 26, 1895.

CHAPTER 272.

AN ACT to amend section 1, of chapter 143, laws of 1893, entitled, "An act to amend chapter 253, laws of 1887," entitled, "An act to amend chapter 247, laws of 1882," entitled "An act to authorize Edward D. Brown, Thomas W. Anderson, Anderson W. Brown and Webster E. Brown, their heirs and assigns, to build and maintain a dam, piers and booms in and across the Wisconsin river in Lincoln county."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorized to build a dam over Wisconsin river, and to use the same for hydraulic purposes.

SECTION 1. Section 1, of chapter 247, of the laws of 1882, as amended by section 1, of chapter 253, of the laws of 1887, as amended by section 1, of chapter 143, of the laws of 1893, is hereby amended so as to read as follows: Section 1. Edward D. Brown, Theodore W. Anderson, Anderson W. Brown and Webster E. Brown, their heirs and assigns are hereby authorized and empowered to build, erect, keep up and maintain a dam of suitable height, across the Wisconsin river, in section six, township thirty-six north, of range nine east, in

Oneida county, Wisconsin, to be used for booming, flooding, storing and driving purposes, and the waterpower created by said dam may be used for hydraulic and manufacturing purposes. The said parties shall have the power to overflow all such lands as may be necessary for such purposes, and said parties, their heirs and assigns, shall have power to acquire title to all such lands, by proceedings for condemnation, in the same manner as provided and set forth in section 1777, of the revised statutes, as amended by chapter 318, of the laws of 1882, which purvisions are hereby made applicable for the purpose of acquiring said lands. Such dam shall be furnished with suitable slides or chutes, which shall be placed in the main channel of the river and shall be so located and constructed as to allow logs passing over the same to freely pass down the river, away from said slides and chutes, and the same shall be kept open at all times when there are logs or timber to run over said dam. The legislature reserves to itself the right to amend, alter or repeal this act.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 476, A.] [Published April 26, 1895.

CHAPTER 273.

AN ACT to provide for the improvement of roads and highways by local assessment.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Local assessments of roads and highways.

SECTION 1. On presentation to the board of supervisors of any county having a population of not less than one hundred thousand of a peti-

tion signed by the owners of at least one-half of the lands bordering on any road or section thereof within such county not less than one-half mile in length, whether such road or section shall lie in one or more towns, asking for a profile and estimate of the cost of grading, macadamizing or otherwise improving such road or section thereof, particularly describing the character of such proposed improvement, such board of supervisors shall cause such profile and estimate to be made for the information of such petitioners by some competent engineer or other person, and he shall file such profile and estimate, or a copy thereof, in the office of the county clerk of such county within ten days after the same has been completed. The cost of furnishing such profile and estimate shall be a county charge and shall be paid by the county treasurer upon the order of the county board in the manner that other county expenses are paid.

When supervisors are authorized to order road improved.

SECTION 2. Whenever thereafter the petitioners mentioned in the preceding section, or any of them, shall present to the board of supervisors a written request of the owners of at least three-fifths of the whole number of feet of the land fronting or abutting on the road and of a majority of the owners of which such profile has been made, the board of supervisors shall cause such road to be improved.

To be improved according to the plans and specifications.

SECTION 3. Such road shall be improved according to plans and specifications prepared and furnished by some competent road engineer or other person skilled in such work, who shall be employed by the board of supervisors for that purpose at such compensation as the said board shall deem just and reasonable, and such plans and specifications shall conform to the character of the improvement specified in the preliminary petition hereinbefore mentioned and to the cost as therein estimated.

Contracts for the work to be let to the lowest bidder.

SECTION 4. The contract for such improvement shall be let by the board of supervisors to the lowest bidder upon the publication of a notice once in each of four successive weeks in two

newspapers published in said county, stating where a copy of the plans and specifications of the proposed improvement may be obtained and the time when and place where the board of supervisors, or a committee thereof, will meet to receive bids. Each of such bids shall be accompanied by a bond, with satisfactory surety to be approved by the board of supervisors, in a sum to be determined by them, conditioned that if the work shall be awarded to such bidder he will execute an agreement in writing to perform the same according to the plans and specifications provided therefor, and that he will perform such work according to the terms of such agreement. This agreement shall be executed in duplicate by the chairman of the board of supervisors under the direction of said board, one of which agreements shall be retained by the contractor and the other filed with the clerk of the board of supervisors.

Inspector of work to be appointed.

SECTION 5. Before the commencement of the work under such contract, the board of supervisors shall appoint a competent person as inspector of such work, who shall be paid for his services such sum as the board of supervisors shall deem just and reasonable. The duty of such inspector shall be to make a thorough examination and inspection of the work performed under such contract, and before any payment shall be made such inspector shall certify to the chairman of the board of supervisors the amount of work performed and that such work has been done according to the provisions of the contract.

Clerk of board to furnish each town clerk statement of expense to each town interested and assessment of same.

SECTION 6. Upon the completion of such work and the receipt of such certificate by the board of supervisors, the clerk of such board shall furnish the clerk of each or any town within which the section of road or any part thereof so improved shall be located, a complete and accurate statement or computation of the cost of the improvement of such road or section thereof within their respective towns, and such statement shall be filed in the office of the clerk of such town. Upon the receipt of

such statement, it shall be the duty of the town board to assess upon the land fronting or abutting upon such road or section thereof within such town, the cost of improving such road or section. Such assessments shall be collected per lineal foot of frontage of each piece or parcel of land owned separately and fronting or abutting upon said road or section thereof so improved, and shall be apportioned among such separate parcels accordingly. A separate certificate shall be made for each lot or parcel of land owned separately and fronting or abutting upon said road or part thereof so improved. Each of such certificates shall be signed by the chairman of the town board and by the town clerk and shall state the amount due the contractor or person having performed the work of improving such road, and shall contain a brief description of the parcel of land against which such amount is assessed. Said certificate shall be transferable by endorsement and shall bear interest from the date of the next annual tax sale after the date of such certificate at the same rate as ordinary tax certificates. Upon the completion of such assessment it shall be the duty of the town clerk to file in his office an accurate statement of the whole cost of such improvement, a brief description of each parcel of land owned separately and fronting or abutting upon such road or part thereof, and the amount assessed against each such parcel of land; and the town clerk shall enter upon the tax roll the amount so assessed against each parcel of land.

Expense assessed against land to be a lien.

SECTION 7. The amount of money specified in the certificate described in the preceding section shall be a lien upon the land against which it shall have been assessed from the date when the statement mentioned in the preceding section shall have been filed in the office of the town clerk as in said preceding section provided. The amount so assessed and specified in such certificate shall be collected for the benefit of the holders of such certificates and the collection thereof enforced in all respects

as the state and county taxes against such land are collected and in the same manner as if said assessment for such improvement were a part of said state and county taxes, and the same fees for collecting said assessments shall be allowed as for the collection of state and county taxes.

Improvement to be maintained at county expense.

SECTION 8. When such improvement has been completed, the road so improved shall thereafter be maintained at county expense under the general provisions of law.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 477, A.] [Published April 27, 1895.

CHAPTER 274.

AN ACT to amend chapter 94, of the laws of Wisconsin for the year 1893, relating to county officers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Assistant district attorneys may be appointed. Their salaries. Powers and duties

SECTION 1. Section 1, of chapter 94, of the laws of Wisconsin for the year 1893, is hereby amended so as to read as follows: Section 1. The district attorney of every county in this state, having a population, as shown from the last census, of one hundred thousand inhabitants, or more, is hereby authorized and empowered to nominate and appoint three assistant district attorneys, who shall be attorneys at law, admitted to practice within this state, and who shall have actually practiced in this state for a term of not less than two years to assist him in the performance of the duties of his office, and who shall be known as

first assistant district attorney, second assistant district attorney and third assistant district attorney, and whose salaries shall be as follows: First assistant district attorney, two thousand two hundred dollars per annum; second assistant district attorney, two thousand dollars per annum; third assistant district attorney, fifteen hundred dollars per annum; and stenographer at six hundred dollars per annum. And it is hereby made the duty of the proper county officers to pay said assistant district attorneys and stenographer the compensation so fixed, in the manner provided by law for the compensation of all county officers receiving annual salaries. The district attorney making said appointments shall notify the county board of supervisors of the counties wherein such appointments shall be made, and thereafter such assistants shall enter upon the duties of said office. The said assistants so appointed shall have the powers and perform the duties of the district attorney excepting the signing of bills of indictments and informations. Said assistants shall be required to give no bonds, and the district attorney making such appointments shall be responsible for their official acts.

SECTION 2. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 537, A.] [Published April 27, 1895.

CHAPTER 275.

AN ACT to amend section 1928, of the revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Persons insured having power to vote at annual meeting of the corporation.

SECTION 1. Section 1928, revised statutes, is hereby amended by striking out all after the word "corporation" in the eighth line of said section, so that when amended it shall read as follows: Section 1928. The directors subsequent to the first board shall be chosen by ballot at the annual meeting of the corporation, which shall be held on the first Tuesday after the first Monday of January of each year, unless some other day be fixed for such annual meeting by a majority of the votes of such corporation; and every person insured by such corporation shall have one vote for each two hundred dollars for which he is insured at such election; and in the transaction of all other business of the corporation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 654, A.] [Published April 27, 1895.

CHAPTER 276.

AN ACT to amend section 517, chapter 27, Sanborn and Berryman's annotated statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to the formation of subdistricts.

SECTION 1. Section 517, chapter 27, of Sanborn and Berryman's annotated statutes of Wisconsin, is hereby amended by adding at the end of said section the following: "Provided, that no subdistrict shall be maintained or hereafter formed which has residing within its limits less than fifteen children of school age; provided further, that any subdistrict may maintain so many branch schools as the convenience of the school population may require," so that said section when amended shall read as follows: Section 517. New subdistricts may be formed, and the boundaries of any subdistrict may be altered by the town board of directors at any regular meeting of said board; but the formation and alteration of any joint subdistrict shall be by concurrent action of the boards of directors of all the towns embraced in part in such subdistricts; provided, that no subdistrict shall be maintained or hereafter formed which has residing within its limits less than fifteen children of school age; provided further, that any subdistrict may maintain so many branch schools as the convenience of the school population may require.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 605, A.] [Published April 27, 1895.

CHAPTER 277.

AN ACT to amend section 4, chapter 402, of the laws of 1889, entitled, "An act to provide for the opening and laying out of temporary highways."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Relating to the laying out of temporary highways.

SECTION 1. Section 4, of chapter 402, of the laws of 1889, is hereby amended so as to read as follows: Section 4. Such temporary highways shall be public highways, and all the expenses of their laying out shall be paid to the supervisors, and all damages that may be awarded on account of the taking of the land therefor, shall be paid to the person or persons owning such lands by the persons applying for the same, and upon such payment they may enter upon, open and work such highways at their own and sole expense, and may construct thereon logging railroads under such restrictions and regulations as shall be made by resolution of the board of supervisors; but no tree shall be cut therein, except such as shall be necessary to make a track or tracks.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 607, A.] [Published April 29, 1895.

CHAPTER 278.

AN ACT to amend section 2, of chapter 112, laws of 1893, entitled "An act to amend chapter 181, as amended by chapter 61, laws of 1891, entitled 'An act to create a municipal court for Douglas county.'"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2, of chapter 112, laws of 1893, entitled "An act to amend chapter 181, laws of 1889, as amended by chapter 61, laws of 1889, entitled 'An act to create a municipal court for Douglas county,'" is hereby amended so that when amended, said section 2 shall read as follows: Section 2, of said chapter 61, is hereby amended so as to read as follows: The municipal court of Douglas county shall have jurisdiction in civil matters over such subjects as justices of the peace have jurisdiction, and where the amount claimed, over and above all set-offs does not exceed five hundred dollars; and shall have jurisdiction to hear, try, and determine all criminal actions arising in said county not punishable in state's prison, and have jurisdiction to hold to bail, all persons charged with other offenses against the laws of the state of Wisconsin, and exclusive jurisdiction of all penalties and offenses against the charter, ordinances and by-laws of the city of Superior, and shall have all the jurisdiction of the justices of the peace, and police justice of said county and may solemnize marriages. The practice and procedure in said court, so far as applicable and not inconsistent with this act, shall comply with the laws relating to justice courts, and transcripts of its judgment may be filed with like effect with the clerk of the circuit court of said county. All appeals, civil and criminal, from said court may be had in the

Jurisdiction of the court enlarged.

same way, and with like effect as from courts of justices of the peace, either to the circuit or superior court of Douglas county. The judge thereof shall have the same power to sentence and commit all persons convicted of offenses over which he has jurisdiction to try and finally determine, that circuit judges, or justices of the peace may have; providing no justice of the peace in Douglas county shall hereafter exercise criminal juisdiction; but this act shall not be construed to deprive the county judge or court commissioners in Douglas county of any of their powers or jurisdiction in criminal matters.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 54, S.] [Published April 26, 1895.

CHAPTER 279.

AN ACT to compel street railway companies to protect certain of their employes from the inclemencies of the weather.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Protection of employes from the inclemency of the weather on street cars required.

SECTION 1. Every person, company or corporation owning or operating a street car line in this state, upon which the cars are propelled by either steam, cable or electricity, shall provide all closed winter cars hereafter purchased and all closed winter cars hereafter reconstructed and rebuilt with a suitable protection constructed of wood, iron, glass or suitable material sufficient to protect the employes of any such person, company or corporation engaged in operating any such cars from expos-

ure to the inclemencies of the weather. Such protection to be maintained upon such cars from the first day of November to the first day of April in each year, and every person, company or corporation owning or operating any such street car line shall, on or before the first day of November, 1895, equip at least one-half of its closed winter cars now in use with a sufficient protection as hereinbefore described, and on or before the first day of November, 1896, the remainder of its said closed winter cars shall be so equipped, provided that such protection shall be so constructed as not to obstruct the vision of the person operating such car.

Penalty prescribed for neglect to observe the law.

SECTION 2. Any person, partnership or corporation, owning, operating, superintending or managing any such line of street railway, or managing or superintending officer or agent thereof who shall be found guilty of a willful refusal to comply with section 1 hereof, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars. Each day that any of said persons cause or permit any of their employes to operate such cars in violation of the provisions of this act, or cause or permit cars to be used or operated in violation of this act, shall be deemed a separate offense; provided, that the provisions of this act shall not apply to cars used and known as trailing cars.

City attorney to prosecute.

SECTION 3. It is hereby made the duty of the city attorney of any city or municipality in which such street railway is situated and operated upon information given to him by any person, that any person, partnership or corporation has violated any of the provisions of this act, to promptly prosecute such person, partnership or corporation for such violation.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 426, S.] [Published April 27, 1895.

CHAPTER 280.

AN ACT to provide for a commission to revise the insurance laws of the state of Wisconsin, and for other purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insurance laws commission authorized.

SECTION 1. The governor is hereby authorized to appoint two commissioners, who, together w' h the insurance commissioner shall constitute a commission to revise the insurance laws of this state, and report to the next regular session of the legislature, within the first ten days after the beginning thereof, a proposed revision of such insurance laws, in the form of a bill or bills. Such bill or bills may be accompanied by a report giving explanatory notes and a statement of the reasons for any proposed changes in the existing laws. Said commission shall cause said proposed bill or bills, together with any such report to be printed by the state printer at the expense of the state.

Shall be furnished necessary stationery and clerk hire.

SECTION 2. The commissioner of public property shall furnish such commission with the suitable and necessary stationery for the performance of such work, and such commission shall be entitled to its actual and necessary expenses, including clerk hire, which expense and clerk hire shall not, in any event exceed the sum of two hundred and fifty dollars, to be paid by the state treasurer, upon warrants drawn by the secretary of state, upon verified statements made by the chairman of such commission.

Appropriation.

SECTION 3. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, a sufficient sum to carry out the provisions of this bill.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 324, A.] [Published April 27, 1895.

CHAPTER 281.

AN ACT to legalize the acts of the common council of the city of Pittsville, in Wood county, Wisconsin, relative to the purchasing of certain lands for the purpose of a cemetery.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Proceedings in establishing a cemetery legalized.

SECTION 1. All acts, resolutions and proceedings of the common council of the city of Pittsville, in Wood county, Wisconsin, had from the first day of June to the fifth day of October, 1894, relative to the purchasing and establishing of a cemetery in said city, are hereby legalized and declared to be valid, the same to all intents and purposes as if the purchasing and establishing of said cemetery had been regular in all respects.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 17, 1895.

No. 307, S.] [Published April 20, 1895.

CHAPTER 282.

AN ACT to amend section 1047b, revised statutes, relating to the platting of lands owned in severalty for the purposes of assessment and taxation when such lands are situated within the limits of any incorporated city.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

In regard to the taxation of undivided subdivision of lands in incorporated cities.

SECTION 1. Section 1047b of the revised statutes relating to the platting of lands owned in severalty for the purposes of assessment and taxation, is hereby amended so as to read as follows: Section 1047b. Whenever any congressional subdivision of lands as mentioned in section 1047a, of the revised statutes, situated within the limits of any incorporated city, is owned by two or more persons in severalty, and the description of one or more of the different parts or parcels thereof cannot in the judgment of the common council, be made sufficiently certain and accurate for the purposes of assessment and taxation, without noting the metes and bounds of the same, said common council may so declare by resolutions, and in and by said resolutions shall direct its clerk, tax commissioner, assessor, comptroller, auditor, board of public works, or any other officer or board of said city, designated in said resolution, to cause the same to be platted. And upon the passage of said resolution, such officer or board shall proceed to give notice as provided in section 1047a, of the revised statutes, and in default of compliance therewith, may cause such land to be platted and acknowledge the same, and have the same recorded, in the same manner and with the same effect as mentioned in said section 1047a, of the revised statutes; provided, however, that such plat, made by the officer or board designated in said resolution, shall not

contain any other subdivision, nor any metes or bounds of any subdivision or parcel of land other than as such shall appear of record in the office of the register of deeds, and therefore, the surveyor's certificate mentioned in section 2269, of the revised statutes, need state only the fact that he has platted the parcels of land correctly and has designated them by the numbers and titles of subdivision as appears on said plat. The resolution of the council, certified by the clerk, shall, in such cases be recorded with the plat. The expenses of making and recording such plat shall be paid out of the general fund of such city.

SECTION 2. All other acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 427, S.] [Published April 20, 1895.

CHAPTER 283.

AN ACT to amend chapter 19, of the general laws of 1895, entitled, "An act to regulate the manner and fixing a uniform rate of assessment for the purpose of taxation of steamboats, vessels and other water craft in this state."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 19, of the general laws of 1895, is hereby amended by striking out all after the enacting clause, and inserting in lieu thereof the following: Chapter 19, laws 1895, repealed.

Assessment of steamboats and water craft.

SECTION 1. All personal property in this state shall be assessed as provided in section 1040, of the revised statutes of the state of Wisconsin and the acts amendatory thereof; provided, however, that in assessing steamboats, vessels and other water craft the assessor in determining the value of such property for taxation shall assess the same as follows:

Schedule of assessment for steamers.

Steel steamers, age 1 to 10 years, $15 per net ton. Steel steamers, age 10 years and upwards, $12 per net ton. Wood and composite steamers, age 1 to 5 years, $9 per net ton. Wood and composite steamers, age 5 to 10 years, $7 per net ton. Wood and composite steamers, age 10 to 15 years, $6 per net ton. Wood and composite steamers, age 15 years and upwards, $4 per net ton. Steel barges, tow barges and sailing crafts, age 1 to 10 years, $12 per net ton.

Barges.

Steel barges, tow barges and sailing crafts, age 10 years and upwards, $9 per net ton. Wood and composite barges, tow barges and sailing crafts, age 1 to 5 years, $7 per net ton. Wood and composite barges, tow barges and sailing crafts, age 5 to 15 years, $5 per net ton. Wood and composite barges, tow barges and sailing crafts, age 15 years and upwards, $4 per net ton.

Tugs.

Steel tugs, age 1 to 5 years, $75 per net ton. Steel tugs, age 5 years and upwards, $50 per net ton. Wood and composite tugs, age 1 to 5 years, $40 per net ton.

Wood and composite tugs, age 5 to 10 years, $30 per net ton.

Wood and composite tugs, age 10 years and upwards, $20 per net ton.

All other craft.

All crafts not above described or not registered or enrolled or required by the federal laws to be registered or enrolled shall be valued and assessed in like manner as other personal property.

Designation of steam vessels, etc.

Vessels, the motive power of which is steam, and relying on and supplied with boilers and engine shall be known and designated as steam vessels. Steam tugs need no special description. Crafts that are supplied with neither

steam nor a fulling of canvas for sails, but are dependent on other crafts to tow them the whole or part of the time shall be known and designated as tow barges. Vessels supplied with the necessary equipment of canvas and relying on their own sails and making voyages independent of all other motive power shall be known and designated as sailing vessels. The rule for ascertaining and fixing on the true tonnage of all crafts herein specified and on which the value is fixed per ton shall be the rule employed by the United States for determining the tonnage of crafts that by law must be registered or enrolled, provided the net tonnage shall be construed to be the true tonnage. The age, tonnage and classification of vessels for the purposes of this act shall be ascertained by the assessors from the custom house where such vessels are enrolled and licensed, or from the enrollment issued to such craft or vessel.

Rule for ascertaining tonnage.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 323, A.] [Published April 27, 1895.

CHAPTER 284.

AN ACT to amend section 1338, of the revised statutes of Wisconsin, relating to repairing highways or bridges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1338, of the revised statutes of Wisconsin, is hereby amended, so as to read as follows: If any town, either by its proper officers, or by a majority vote of its

Appeal may be made to county board when town refuses to repair road.

electors, shall refuse to open and put in reasonable condition for travel a highway, after the expiration of one year from the time that the same has been laid out, or shall refuse to repair any public highway or bridge in such town, any fifteen freeholders, whether residents or not of said town, may appeal from such decision to the county board, by notice in writing, served on the chairman of such town. The county board shall at any regular meeting of the same, either by a majority of its members, or by a committee of not less than three, examine such highway or bridge, and if after such examination such board shall determine that such highway or bridge ought to be opened and put in reasonable condition for travel, or that such highway or bridge ought to be repaired, the chairman of such board shall cause the same to be opened and put in reasonable condition for travel, or cause such highway or bridge to be repaired, and keep an accurate account of the expense thereof, and such expense when audited and allowed by the county board shall be charged to such town, and be added by the county clerk to the next county tax, apportioned thereto and collected therewith.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1895.

No. 233, A.] [Published April 27, 1895.

CHAPTER 285.

AN ACT relating to lien for supplies furnished on logs, timber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves and charcoal, in Door county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lien for supplies furnished on logs, timber, cord wood, etc.

SECTION 1. Any person, or persons, company or corporation, who shall furnish any supplies of any kind or nature whatsoever, to any person, persons, company or corporation to be used by said person, persons, company or corporation, by their men, teams or employes in cutting, felling, hauling, running, driving, rafting, booming, cribbing, towing, sawing, piling, or manufacturing into lumber any timber or logs or cutting any stave bolts or staves, cord wood, railway ties, telephone poles, telegraph poles, tan or other barks, piling, fence posts, paving timber, stave bolts or staves, or in the manufacture of any kind of wood into charcoal, in Door county, shall have a lien upon such logs, timber, lumber, cord wood, railway ties, tan or other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves or charcoal, for the amount due or to become due for such supplies, which shall take precedence of all other claims or liens thereon, except claims or liens for labor.

Lien not to remain unless a claim in writing be made by claimant or his attorney.

SECTION 2. No debt or demand for such supplies furnished as provided in section 1 of this act shall remain such lien unless a claim therefor in writing, shall be made and signed by the claimant or his attorney and verified by the claimant or some one in his behalf in the same manner that pleadings in civil actions may be verified, setting forth the nature of the debt or demand for which the lien is claimed, the

amount claimed to be due, the description of the logs, timber, cord wood, railway ties, tan or other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves, or the location where said charcoal is situated, against which the lien is claimed, and that the claimant claims a lien thereon, pursuant to this chapter; such claim for supplies furnished shall be filed in the office of the clerk of the circuit court of the county in which such supplies were furnished. If the supplies were furnished between the first day of November, and the first day of March, following, the claim for such lien shall be filed on or before the fifteenth day of March next, thereafter, but if such supplies shall be furnished after the first day of March and before the first day of November, thereafter, or if the furnishing of such supplies shall be continuous from the first day of November, or a day prior thereto, to a date beyond the first day of March following; the claim for lien shall be filed within thirty days after the last day of furnishing such supplies, and such furnishing of such supplies shall be deemed continuous notwithstanding a change of ownership in said logs, timber, lumber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves or charcoal. The clerk with whom such claim for lien is filed shall receive twenty-five cents for filing each such claim or lien.

Plaintiff may have a remedy by attachment of property.

SECTION 3. The plaintiff in any such action may have the remedy by attachment of the property upon which the lien is claimed, provided by law in personal actions, and such attachments may be issued and be served and returned, and like proceedings had thereon, including the release of any attached property upon giving security as in civil actions. The affidavit for the attachment must state that the defendant who is personally liable to the plaintiff therefor is indebted to him in the sum named over and above all legal set-offs for such supplies furnished, as entitles the plaintiff to a lien

thereon, under this chapter, and describing such logs, timber, lumber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves, or the location where said charcoal is situated, and that the plaintiff has filed his claim or lien thereto, and no other fact need be stated in such affidavit; no undertaking upon such attachment, or security for costs in actions hereunder, need be given, unless upon application of some defendant in the action showing by affidavit that he has a good and valid defense to the plaintiff's claim and how much thereof, and if it be only to a part of such claim, unless the residue be paid to the plaintiff, at the time of the application, which payment if made shall not affect the jurisdiction of the court; and no order shall be made by any court requiring the giving of such undertaking or security for costs, except upon ten days' notice to the plaintiff, the attachment shall direct the officer to whom it is issued to attach the property named in the affidavit, or so much thereof as shall be necessary to satisfy the sum claimed to be due thereon, and to hold the same subject to further proceedings in the action. The officer executing the attachment shall pay any boomage due upon the property attached, and the amount so paid shall be taxed as part of the costs of the action.

Taking of promissory note does not discharge the lien.

SECTION 4. The taking of a promissory note or other evidence of debt for any such supplies furnished shall not discharge the lien therefor hereby given unless expressly received in payment therefor and so specified therein.

Actions to enforce lien to be brought in the circuit court.

SECTION 5. All actions to enforce such lien may be brought in the circuit court of the proper county when the amount stated in the affidavit for the attachment, over and above all legal set-offs, exceeds one hundred dollars, or before any justice of the peace having jurisdiction of the amount claimed and of the parties. Action may be commenced to enforce such lien, if the same be due, immediately after the filing of such petition or statement, and such lien

claim shall cease to be a lien on the property named in such petition or statement unless action be commenced within four months after the filing of such petition or statement. If the claim is not due at the time of such filing, the time when the same will become due may be set forth in the petition or statement, and in such case the lien claim shall not cease to be a lien on the property named in the petition until thirty days after such claim shall have become due; provided, that such lien shall continue in any event for four months after the filing of such petition. In all such actions the person, company or corporation liable for the payment of such debt or claim shall be made the party defendant. Any person claiming to be the owner of any such logs, timber, lumber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence post, paving timber, stave bolts, staves or charcoal, may be made a party defendant on application to the court having jurisdiction of the action at any time before final judgment therein. No person purchasing such logs, timber, lumber, cord wood, railway ties, tan or other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves or charcoal or otherwise acquiring any interest therein before the time for filing such petition or statement or commencing an action thereon has expired shall be considered a bona fide purchaser as against the rights of any such lien claimant; provided, however, that any check given for such supplies that shall become the property of another by purchase or otherwise shall be and remain a lien, and the person owning the same shall have the same right of a lien and the same rights and powers to enforce the same as the person or persons furnishing such supplies for which said check was given.

Judgment, how rendered, and costs, how taxed.

SECTION 6. The court or jury which tries any action hereunder shall, in addition to the sum due the plaintiff, find, if such be proven, that the same is due for the supplies furnished or some part of them alleged in the complaint and

that the same is a lien upon the property or some part thereof, described in the complaint, and the judgment shall be in accordance with the findings of the court or jury; costs shall be taxed and allowed as in personal actions. The execution in addition to the directions and commands of ordinary executions upon judgments for money shall direct that such logs, timber, lumber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves the charcoal, describing them or the location of the charcoal or so much thereof as may be necessary for such purpose be sold to satisfy said judgments and costs, including the costs of sale. If the court, justice or jury shall find that the amount found due the plaintiff is not a lien upon any part of such logs, timber, lumber, cord wood, railway ties, tan and other barks, piling, telegraph poles, telephone poles, fence posts, paving timber, stave bolts, staves or charcoal, they shall be released from the attachment, if they have been attached. The plaintiff shall in all such cases have judgment for the amount so found due, with costs as in ordinary civil actions, but he shall not recover the costs of executing such attachment.

How writ of attachment may be served.

SECTION 7. In actions to enforce a lien under this chapter the officer having the writ of attachment or execution shall make his levy by indorsing or annexing to the writ of attachment or execution his certificate that by virtue of said writ he has levied on the property described in the writ (naming the property levied on), specifying the number of feet and if it be charcoal the quantity in pounds or bushels, as near as may be, taken to satisfy the amount due the plaintiff mentioned in the writ, specifying the amount with costs and disbursements.

After making the levy, person buying or using property liable.

SECTION 8. After the making of the levy as above specified any person sawing, buying or using any such property levied on, before the lien claim thereon is satisfied, shall be liable to the lien claimant or the officer who made the levy for the amount claimed, together with costs and disbursements.

SECTION 9. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1895.

No. 111, S.] [Published April 24, 1895.

CHAPTER 286.

AN ACT authorizing the common council of cities to change the number and boundaries of wards by ordinance.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Power to change the number and boundaries of wards by ordinance

SECTION 1. The common council of any city in the state of Wisconsin which shall have been incorporated under special charter and corresponding to the third and fourth classes as designated by law shall have power to change the number and boundaries of the wards in such city by ordinance adopted by a vote of at least three-fourths of all the members of the common council; provided, that such ordinance shall be introduced at a regular meeting of such common council and before final action is taken thereon the same shall be published at least once each week for four successive weeks in some newspaper printed and published in such city, if there be one, otherwise in some newspaper to be designated by the common council; and when the boundaries and number of wards are fixed by an ordinance under this section the number of wards in such city and boundaries thereof, or any of said wards, shall not again be changed for a period of three years, except by adding thereto such territory as may at any

time be added to the city limits; and provided further, that the territory of the wards shall be contiguous and compact, and that no new ward shall be created under the provisions of this act that shall contain less than one thousand inhabitants.

On the division of wards into precincts, how effected.

SECTION 2. Whenever any ward in any such city has been heretofore divided into two or more election precincts as provided by law, any such precinct, upon a petition of a majority of the qualified electors of any such precinct, at least forty per cent. of which such petitioners shall be freeholders in such precinct, and in case any ward containing a population of two thousand five hundred and upwards which such ward has not been divided into precincts upon a like petition; the number of which electors shall be determined by the number of votes cast in such precinct or ward at the last annual city election, or, if said ward has been divided into precincts since the last annual city election, the number of electors shall be determined by the last poll list of such ward, showing the electors residing in such precinct or ward executed as hereinafter provided, being filed with the city clerk of such city demanding that such precinct be constituted a ward, or that such ward be divided, it shall be the duty of such city clerk to immediately notify the mayor of such city of the receipt of such petition. Upon the receipt of such notice it shall be the duty of the mayor to cause a notice to be published in a newspaper of said city of the receipt of such petition and cause such petition to be laid before the common council of such city at the next regular meeting thereof, and thereupon it shall be the duty of such common council to proceed by ordinance to create such precinct into a ward or divide such ward into wards; provided, that such common council may, in its discretion, increase or diminish the boundaries of such precinct or such proposed new ward by a vote of at least three-fourths of all the members of such common council. In case such common council shall neglect or re-

fuse to proceed as in this section provided within thirty days after the meeting at which such petition shall have been laid before such council, any voter and freeholder of such precinct or ward may apply to the proper circuit court or the presiding judge thereof in vacation for a writ of mandamus addressed to the common council of such city, or by some other appropriate remedy to compel the creation of such precinct or territory into a ward of said city.

What the petition of the electors shall set forth.

SECTION 3. The petition of the qualified electors of any such precinct shall set forth that such precinct contains one thousand inhabitants or more, and in case such ward has not been divided into precincts, a particular description of the territory out of which it is proposed to create such new ward, and each elector signing such petition shall sign and acknowledge the same in the presence of a notary public or justice of the peace, who shall certify to such facts.

Regarding ward officers when ward is changed.

SECTION 4. Whenever the number of wards in any city shall be changed in the manner aforesaid, and a new ward or wards created, such new ward or wards shall have the same number of aldermen, supervisors and ward officers, and shall be in all respects subject to the provisions of the charter of said city. Any ward officer holding office, and who resided in any such territory at the time such territory shall be declared a ward, shall continue in office until his term expires and until his successor is elected and qualified and shall be an officer of the ward so constituted. The inspectors, election and ballot clerks appointed for any such precinct shall continue to act in their several capacities when said precinct is constituted a ward under this act until removed or their successors are appointed by the proper authorities.

Special election for new ward officers.

SECTION 5. In every case where new wards are created under the provisions of this act, it shall be deemed to create vacancies in the offices to which such ward is entitled under section 4 of this act, and it shall be the duty of

the common council forthwith to order a special election under the city charter to fill such vacancies and any other vacancies created by the operation of this act; provided, that if such ward is created within thirty days before any general or city election, such vacancy shall be filled at such election. The common council shall, in ordering such election, fix the expiration of the terms of office for which each officer to be voted for shall be elected.

SECTION 6. All acts and parts of acts and the provisions of any city charter that conflict with the provisions of this act are hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1895.

No. 432, S.] [Published April 27, 1895.

CHAPTER 287.

AN ACT to amend chapter 98, of the laws of 1881, entitled, An act to provide for a consolidation of joint school districts numbers two and five, of the city and town of Ripon, and to provide for the support and management of public schools therein.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. That section 9, of said chapter 98, of the laws of 1881, be and the same is hereby amended by striking out all that part of the fifth "purpose" thereof after the word "year" in the fifth line, and before the word "that" in the ninth line, so that said fifth purpose where so amended shall read as follows: Fifth. To pay the wages of teachers due after

In regard to the levy of tax for payment of teachers' wages.

the application of public moneys, which may by law be appropriated and provided for that purpose; provided, nevertheless, that no tax shall be levied for such purpose oftener than once each year; and that the money to be raised in any one year, excepting the first, for buying sites and erecting and building schoolhouses and the appurtenances, shall not exceed one thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 18, 1895.

No. 329, S.] [Published May 2, 1889.

CHAPTER 288.

AN ACT to regulate the nomination of candidates.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

CAUCUSES IN COUNTIES HAVING CITIES OF OVER TWO HUNDRED THOUSAND INHABITANTS.

Regulating the holding of caucuses for nominating candidates.

SECTION 1. The caucus and meetings of political parties held for the purpose of nominating candidates or choosing delegates to assemble in convention to nominate any person for any public office to be voted for in counties having, according to the last national census, a population of more than two hundred thousand persons, shall be held under the provisions of this act, and in such counties all meetings for nominating candidates or choosing delegates, commonly called caucuses, unless held under the provisions of this act, are hereby declared to be unlawful, and no political party shall have its political ticket placed upon the

official ballot, unless the nomination of its candidates are made in accordance with the provisions of this act. The meetings of electors in any town, village or ward, in any such county, held for the purpose of nominating candidates or choosing delegates, as aforesaid, are hereby defined as caucuses and declared to be such, and any person who shall vote, or offer to vote at any such caucus, held in any such county, unless, at the time, he shall be a qualified elector of the town, village or ward in which said caucus is held, and any person who, not being an elector as aforesaid, shall vote, or offer to vote at any such caucuses, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished in the manner hereinafter provided.

Political parties to file with the county clerk the names of the chairman, secretary and members of county committee.

SECTION 2. Every political party desiring to nominate candidates to be voted for at any election to be held in any such county shall file with the county clerk of such county the name of the chairman, secretary and members of the county committee of such political party, who shall be electors of such county and shall have been elected by the county convention called for the purpose of nominating candidates to be voted for in said county at the general election, and the names of such members of the county committee shall be embodied in the nomination papers filed with the county clerk certifying the nomination of candidates, and the term of office of all such members of the county committee shall commence on the following first day of January. The respective county committee shall determine the day and place when the conventions of the political party it represents shall be held, and also the day upon which the caucus of such political party shall be held in each town, village or ward, and the number of delegates which shall represent each town, village and ward in such conventions, and shall also designate the offices for which candidates shall be nominated at such caucuses. Whenever a city election shall be held in any city situated within such county, and the chairman

of the county committee be a resident of such city, he shall act as chairman, and the members of the county committee representing such city shall be the members of the city committee, which committee shall fix and determine the day and place of holding the conventions and the number of delegates which shall be chosen from each ward of said city to act in said convention, and shall designate the offices for which candidates shall be nominated at such caucuses, and said committee shall determine the day upon which the caucuses of the political party which it represents shall be held in each ward, and the caucuses of one political party shall be held upon the same day, and no more than one political party shall hold caucus on the same day. In case the chairman of the county committee is not a resident of such city, then the members of the county committee of such city shall select a resident of their city to act as chairman of their city committee. Whenever such county committee or city committee shall determine the time of holding such caucuses, the chairman of such committee shall cause to be published in at least every daily newspaper published in said county and advocating the principles of the party he represents, a notice stating the time and place where such preliminary meetings, caucuses and conventions will be held; such notice shall be published for at least two successive days, not less than two nor more than six days prior to the time fixed for the holding of the preliminary meetings. The city conventions shall be held not more than two days following the holding of the caucuses of the respective party, and the county and district conventions shall be held not more than three days after the day of the holding of such caucuses. The caucuses held under the provisions of this act shall be held and conducted in the precinct election booth located nearest to the center of the ward, town or village where held, unless the county committee of the party holding any such caucuses shall designate some other precinct booth in said ward, town or vil-

Duties of county committee defined.

Where caucuses shall be held.

lage, in which event such caucus shall be held at the booth so designated, and shall open in cities at the hour of four o'clock in the afternoon and close at the hour of nine o'clock in the evening of the same day; in towns or villages the time for opening the caucuses shall be three o'clock in the afternoon and close at the hour of six o'clock in the evening of the same day. It is hereby made the duty of every such city, and of the board of public works thereof, and of the town and village boards, to cause such booths to be constructed and erected at said place and at said time for such purposes, and to furnish the necessary furniture, ballot boxes, heat and light, and whenever a ward in any city constitutes more than three election districts or precincts, the county or city committee may subdivide such ward into caucus districts for the accommodation of electors, and shall state in its call the location of its caucus booth for each such district and the precinct or election districts for which said booths have been assigned. The county committee shall have authority to fill all vacancies in said committee caused by resignation or otherwise and the county clerk shall at once be notified of all such changes by the chairman and secretary of the committee. The county committee shall be composed of a chairman, secretary and one member from each ward, town or village in said county; and the member elected from each ward, town or village shall be the chairman of such ward, town or village. The county committee may also provide for the election of a treasurer and assistant secretary, and for the appointment by the chairman of an executive committee composed of five electors, who, together with the chairman, secretary and treasurer, shall constitute the executive committee.

When caucus shall open.

County committee can fill vacancies.

SECTION 3. There shall be appointed annually, on or before the first day of February of each year, by the county committee, three electors of each town, village and ward who shall act as inspectors at every caucus held therein of the political party for which he acts,

Inspectors at caucuses to be appointed annually by county committee.

and every elector so appointed shall, before entering upon the discharge of his duties, within ten days from the time of his appointment, make oath or affirmation that he is an elector of the town, village or ward for which he is appointed, that he will faithfully, honestly and correctly conduct the election to be held at such caucus, protect it against all fraud and unfairness, truly canvass all the votes cast thereat, and in every way comply with the carrying out of the provisions of this act. Such oath or affirmation shall be filed with the county clerk within the ten days above provided. Such inspectors shall thereafter have full authority to administer the oaths necessary to carry on said caucuses in the manner herein provided. Said county committee may at any time prior to the opening of the caucus remove any inspector so appointed and appoint another in his place who shall qualify in like manner. In case any inspector shall fail to appear at the time fixed for opening such caucus, the inspector or inspectors present shall appoint some elector, resident of the ward, village or town in which such caucus is held in the place of such absent inspector, who shall administer to such person the oath provided for in this act.

Chairman of county committee to call a preliminary meeting of the electors of his party.

SECTION 4. The chairman of the county committee shall call a preliminary meeting of the electors of his party, of each ward, village and town, to be held four days prior to the time fixed for holding the caucus of his party, to propose delegates and candidates to be voted for at the caucus. The chairman of the ward, village or town, or in the absence of such chairman, a caucus inspector shall open the meeting. After the election of a chairman, and secretary of the meeting, who by virtue of such election, shall also act as chairman, and secretary of the caucus, the chairman of said meeting shall declare nominations opened for delegates and candidates in the order given in the call, and the proposed names shall be placed on the list by the secretary in the order proposed, and the chairman before entertaining a motion "that

nominations be closed" shall first put the question to the meeting, repeating the same twice; "are there any further nominations?" Such action being first taken and every opportunity given electors to propose names before the motion, "to declare nominations closed" can be entertained or voted upon by the meeting. The chairman and secretary of the meeting shall immediately certify the names proposed in the order of their nomination to the secretary of the county committee of the political party represented by such preliminary meeting. The chairman of the preliminary meeting shall then read and call for the caucus, state the time and place of holding the caucus, also that the county or city committee of the party will have tickets printed for the caucus containing all the names proposed, the voter at the caucus to strike off all but required number of delegates or candidates, that no other but the official ticket will be received at the caucus, and that no tickets will be distributed prior to the caucus, and that all official tickets will be placed in the booths in which the caucus is held, whereupon the preliminary meeting shall stand adjourned.

Registry lists to be furnished for caucuses.

SECTION 5. The board of registry of each election precinct shall, at least two days prior to the day fixed for the caucus to be held in the ward, village or town, in which such precinct is situated, deliver to the chairman of the ward, village or town of the respective county committee, four copies of the printed registry list of electors made at the first meeting of said board of registry of electors, entitled to vote in such precinct at the ensuing election, and said board of registry shall also deliver to the chairman of the respective county committee four copies of the printed registry list of electors made at the second meeting of said board of registry of electors entitled to vote in such precinct at the ensuing election, and the failure or refusal of any such board of registry to comply with the provisions of this section shall operate to forfeit all compensation provided by law to be made to every member of such board

of registry, and they shall thereafter be ineligible to act as inspectors of election. The chairman of the ward, town or village receiving such lists shall deliver them to the secretary of the county committee on or before the day fixed for the holding of the caucus, and in case of his failure, neglect or refusal to deliver them to such secretary, as aforesaid, if they shall have been duly delivered to him by the board of registry at the time herein fixed, forfeit his membership in said county committee. Only voters whose names appear on such registry list, where registration is by law required, shall be allowed to cast their vote at said caucus, except in case it is shown by affidavit that the elector is a qualified voter and a resident of the ward, town or village for which said caucus is held. The secretary of the county committee shall deliver to the caucus inspectors the printed registration lists of electors made at the first meeting of the boards of registration in said ward, town or village.

Opening the caucus. How to hold and conduct the caucus.

SECTION 6. The chairman selected at the preliminary meeting, shall, upon the day fixed in the call, open the caucus at the time and place designated, and in the event of the absence of the chairman, the secretary selected at the preliminary meeting shall declare the caucus open, and the electors present shall select a new chairman; the chairman and secretary selected at the preliminary meeting together with the caucus inspectors shall act as officers of the caucus. The secretary of the county committee shall have prepared and delivered to the caucus inspectors a sufficient number of official caucus tickets in the original sealed package, and at the opening of the caucus the package shall be opened and the tickets conveniently placed for the use of the voters, but no distribution of such caucus tickets shall be allowed outside the caucus booths. The official caucus ticket shall contain the official imprint of the county committee, the name of the party holding said caucus, the ward, town or village in which said caucus is held, and shall contain

the names of all delegates and candidates proposed at the preliminary meeting, and no other ballot shall be received or counted at the caucus. The names of delegates and electors proposed for office for which candidates are to be nominated, shall be arranged and placed upon the official ballot in the order in which nominated at the preliminary meeting. Each elector shall prepare his ballot by striking off all but the required number of delegates or candidates, so that no ballot shall contain more names for delegates or candidates than the ward, village or town is entitled to. Ballots containing more names for delegates or candidates than the ward, village or town is entitled to, shall be void and shall not be counted; provided, however, that a ballot shall be void only so far as it may contain more names for a particular set of delegates, or particular office containing more names than the ward, village or town is entitled to as delegates or candidates. The caucus inspectors shall act as the tellers of the caucus, receive the votes of all the electors of the party of the ward, town or village in which said caucus is held, and the electors of the ward, village or town in which the caucus is held, who voted the ticket of the political party for which said caucus is called at the last general election, shall be entitled to vote. An elector whose right to vote shall be challenged by any of the caucus officers, shall not be permitted to vote unless he shall subscribe and file with such caucus officers an oath or affirmation, that he is a resident of the ward, village or town, and a qualified elector, and that he voted for regular party candidates of the party for which said caucus is held at the preceding general election. Immediately after closing the caucus, the caucus officers shall count every official ballot cast in the presence of all persons desiring to attend who may have been voted for at such caucus or one authorized agent for each such person, and immediately, when the result is determined, announce the same in a loud voice, burn all the ballots or tickets cast, and immediately send

Manner of preparing ballots and voting.

verified and certified proper returns to the secretary of the county committee which ordered said caucus to be held, together with the checked registry list used or poll list made and affidavits received, at said caucus. Any caucus officer who shall make any false return of the action of the caucus or of any vote cast thereat, shall upon conviction thereof, be punished in the manner provided by law for making a false return of any election.

Penalty for offering to vote more than once.

SECTION 7. No person shall vote or offer to vote more than once in one caucus for one and the same candidates and the same set of delegates, and no person shall vote or offer to vote in any caucus where candidates and delegates are to be chosen if he has already voted at the caucus of any other political party for candidates to be voted for, or for delegates to be chosen to act in a convention to nominate candidates to be voted for at the next ensuing election. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished in the manner hereinafter provided. No person shall distribute or offer to distribute any caucus tickets or ballots to be voted at such caucus on the day of the holding of such caucus, on the public streets or in any public place in the town, ward or village where such caucus is held, and tickets contained in the booth shall not be removed from or distributed in the booth after they are placed there until the caucus is closed; and any person who shall violate any of the provisions last above named shall be guilty of a misdemeanor and upon conviction thereof shall be punished in the manner hereinafter provided.

Bribery or intimidation rated a misdemeanor.

SECTION 8. Every person who, by bribery or corrupt or unlawful means prevents or attempts to prevent any voter from attending or voting at any caucus mentioned in this act or who shall give or offer to give any valuable thing or bribe to any inspector or delegate whose office is created by this act or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in

relation to such caucus or convention, or who shall interfere with or in any manner disturb any caucus held under the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished in the manner hereinafter provided.

Penalty prescribed on conviction.

SECTION 9. If any person shall be convicted of a violation of any of the provisions of this act for which no punishment is herein provided, or who shall be convicted of a misdemeanor under the provisions of this act, he shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not less than two nor more than six months, or by both such fine and imprisonment in the discretion of the court.

SECTION 10. All acts and parts of acts in conflict with the provisions of this act are hereby modified, superseded or repealed to the extent that this act be carried into full force and effect.

SECTION 11. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 291, A.] [Published April 23, 1895.

CHAPTER 289.

AN ACT relating to town and village insurance companies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Local insurance companies to file articles of association, by-laws, etc., with insurance commissioner after July 1.

SECTION 1. On and after June 1, 1895, every town and local city or village fire insurance company doing business in this state shall file in the office of the commissioner of insurance a copy of their articles of association, by-laws, policy, and

of each blank used in transacting their business, and it shall be the duty of the commissioner of insurance to properly file and preserve the same in his office.

All forms of policies to be submitted to insurance commissioners, after July 1.

SECTION 2. On and after July 1st, 1895, none of said insurance companies or their officers shall make, execute or deliver any policy or contract of insurance until the blank form for the same shall have been submitted to and duly approved by the commissioner of insurance of this state; provided, that chapter 195, of the laws of 1891, providing for a standard policy, shall not apply to the companies herein referred to.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 191, A.] [Published April 29, 1895.

CHAPTER 290.

AN ACT to authorize the establishing of a workhouse by any one, two or more counties within the state, in which to confine certain offenders at hard labor, and prescribing and regulating the punishment for certain offenders.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Counties may establish a workhouse.

SECTION 1. Authority is hereby conferred upon, and powers in conformity therewith granted to any one, two or more counties in the state, singly or jointly, to establish, erect and maintain for the uses and purposes hereinafter specified, an institution called a workhouse.

SECTION 2. Every male person over sixteen years of age who shall be convicted by any

court or magistrate within a county which wholly or partially maintains a workhouse on the charge of vagrancy, vagabondage, petty larceny, drunkenness, disorderly conduct, or shall be convicted of violating any of the provisions of chapter 470, laws of 1887, and acts amendatory thereof, shall be punished by a fine of not less than one dollar nor more than one hundred dollars and on default of payment thereof, by imprisonment in the workhouse at hard manual labor not to exceed thirty days for the first offense known to or brought to the notice of any justice of the peace, magistrate or judge of any court, and for the second or any subsequent conviction of any offender, upon default of payment of any fine imposed, he shall stand committed to such workhouse at hard manual labor not to exceed six months.

Candidates and qualifications for admission to workhouse.

SECTION 3. All persons committed to such workhouse shall be employed at hard manual labor for not to exceed ten hours each day of such term of confinement (except Sundays), at such work, labor or employment under the supervision of the superintendent, as provided by the commission or committee appointed by the respective county boards, or as may be provided by resolution of each county board; and the product of such labor and employment shall be the property of and owned by the counties that may erect and maintain the workhouse; and such product may be sold by the superintendent according to the rules and regulations provided for the sale thereof by the commissioners, committee or county board.

Employment of persons in workhouse.

SECTION 4. No tobacco, liquor or other intoxicating beverage shall be furnished to or used by any person committed to the workhouse during his confinement therein.

Tobacco and intoxicats prohibited.

SECTION 5. Any person duly committed to the workhouse of sufficient ability and who shall refuse to work diligently, may be punished by being placed in solitary confinement, in the discretion of the superintendent, not to exceed ten days for each refusal to work diligently, and shall receive bread and water only during said solitary confinement.

Person may be placed in solitary confinement.

WORKHOUSE MAINTAINED BY ONE COUNTY.

May be maintained by one county.

SECTION 6. The county board of any one county may, by a majority vote of the county board at any general or special meeting thereof, provide for the establishment, erection and maintenance within such county of a workhouse, the site of which shall comprise not less than one nor more than forty acres of land.

Care and management of the workhouse.

SECTION 7. Such workhouse shall be under the care and management of a superintendent, who shall be annually elected by the county board, and shall hold his office for one year, commencing on the first Monday of January, unless sooner removed by said county board for incompetency, improper conduct or other causes, and who shall receive for his services and the care and maintenance of the persons committed to his charge, an annual salary, to be fixed by the county board, and a committee of three supervisors duly appointed by the chairman of the county board at each November session; said committee to be called "committee on workhouse," who shall from time to time not less than twice each month, inspect said workhouse and its management, and who shall report to the county board at each session thereof the condition and general welfare, and shall suggest such rules and regulations to govern the same as may be deemed necessary and proper. Said superintendent shall, before entering upon the discharge of his duties as such, give to the county board a bond in such sum as they shall direct with sureties to be approved by them, conditioned for the faithful performance of the duties of his office, and for the faithful accounting for all moneys which shall come into his hands. In case of any vacancy occurring in the office of superintendent such vacancy shall be filled by such committee until the next session of the county board, to be by them approved for the residue of the term.

SECTION 8. The county board is empowered to select and purchase a site for such workhouse, to advertise for and adopt plans and spec-

ifications and to advertise for bids and let the contract for the erection and completion of said workhouse and necessary outbuildings, and to purchase necessary furniture and fixtures therefor, but the amount to be expended for a site and buildings shall not exceed ten thousand dollars. And for such purposes the county board is hereby authorized to borrow from time to time on the credit of the county, such sum or sums of money as shall be necessary, and issue its corporate bonds therefor payable at such time or times as they shall direct within twenty years from date. And they are hereby authorized and required to levy and collect on all of the taxable property within said county a tax sufficient to pay the expense of maintaining such workhouse and to pay the principal and interest on such bonds as the same become due.

County board may purchase suitable site, construct buildings and furnish them.

SECTION 9. The county board shall from time to time make such rules and regulations for the discipline, operation, support and maintenance of said workhouse as they shall deem fit and proper, and prescribe the duties of the superintendent.

County board to make rules for governing.

SECTION 10. Upon the completion of such workhouse the county clerk shall notify each justice of the peace, magistrate and the judges of each court of said county thereof in writing.

County clerk to notify magistrates on completion of building.

SECTION 11. Any officer receiving the commitment of any prisoner upon a sentence to the workhouse shall convey such prisoner to the workhouse as soon as may be after such conviction and sentence and such officer shall receive as fees ten cents per mile going and returning. But such officer shall not be entitled to more than one fee as herein prescribed for any one trip, which fees so prescribed shall be in lieu of all compensation in each case for such services.

Officer to convey person to workhouse.

WORKHOUSE MAINTAINED BY TWO OR MORE COUNTIES.

SECTION 12. The county boards of two or more counties may, by a majority vote of each

More than one county may jointly provide a workhouse.

of the county boards of such counties, provide for the establishment, erection and maintenance of a workhouse, the site of which shall comprise not less than one nor more than forty acres of land. The location of said workhouse shall be determined by commissioners, elected by the several county boards of the counties, who shall have voted to unite for such establishment, and said workhouse shall be located by them at their first annual meeting, or as soon thereafter as possible, at such place within any one of said counties so united as shall be most suitable and accessible for such purpose.

Commission to elect a superintendent to manage the workhouse.

SECTION 13. Such workhouse shall be under the care and management of a superintendent, who shall be annually elected by a commission, consisting, in case of two counties participating, of four supervisors, two from each county, duly elected by the county board of each county so interested, at the next November session, any adjourned meeting, or at a special meeting called for that purpose by a majority of the members of the county boards of each county interested; when more than two counties unite in such action, the commission shall consist of one supervisor from each county, duly elected as heretofore mentioned in case but two counties unite. Such commissioners shall at their first meeting elect a chairman and a clerk.

Annual salary of superintendent to be fixed by the commission.

SECTION 14. Such superintendent, elected by said commission aforesaid, shall receive for his services and the care and maintenance of the persons committed to his charge, an annual salary to be fixed by said commissioners, and shall hold his office for the term of one year, commencing on the first Monday of January, succeeding his appointment, unless sooner removed by said commissioners for incompetency, improper conduct or any other cause satisfactory to said commissioners. In case of any vacancy occurring in the office of superintendent from any cause, such vacancy may be filled by appointment as aforesaid, for the residue of the term. Said superintendent shall, before entering upon the discharge of his duties, as such,

give to the commissioners a bond in such sum as the commissioners shall direct, with sureties to be approved by them, conditioned that he will faithfully execute the duties of his office and comply on his part with all such regulations, rules and by-laws as shall be prescribed or established by said commissioners for the government, management and discipline of said workhouse, and of the persons who may be confined therein. The superintendent shall have the charge and control of said workhouse and of the persons confined therein, subject to such rules, by-laws and regulations as may be prescribed by said commissioners. He shall appoint and be responsible for the acts of all necessary assistants under him, subject to the powers of said commissioners to prescribe the number of such assistants and the duties to be performed by them. The salary and compensation of said superintendent and all assistants appointed by him shall be paid upon an order issued by the chairman of said board of commissioners, out of a fund for that purpose previously created, at such times as said commissioners shall direct; and said commisioners shall also have the power to fix the compensation to be paid to all such assistants. The members of the first board so elected shall constitute a construction committee. They are hereby empowered to advertise for and adopt plans and specifications for the erection of a workhouse, and upon the adoption of any one of the plans so submitted to said commissioners, they shall have full authority to advertise for bids and let the contract for the erection and construction of said workhouse, and the erection of the necessary out buildings and to do all the things necessary in the completing of the erection of said workhouse and suitable outhouses, yard and appurtenances, in the procuring of the necessary furniture and fixtures, and other things in and about the same. The amount to be expended for the purchase of a site for and in the erection and construction of such workhouse, not to exceed seventy-five

Shall take constitutional oath.

His duties.

Construction committee.

Building not to cost more than $75,000

thousand dollars, shall be determined by the respective boards of supervisors of each county jointly interested, at a regular meeting, and by resolution duly passed. Said commissioners, before entering upon their duties as commissioners, and after taking the constitutional oath of office, shall severally file in the office of the county treasurer of their respective counties a bond to the said county, executed by themselves severally, with two sufficient sureties, to be approved by the board of supervisors, in such an amount as shall previously have been determined by the respective boards of supervisors, and conditioned for the full and faithful performance of their duties as such commissioners, and the accounting to said board of supervisors at each annual meeting, and oftener if required by them, for all moneys received by them as such commissioners. The commissioners elected under the provision of this act shall receive for each day actually employed in the discharge of their duties three dollars, and six cents a mile for each mile necessarily traveled in the discharge of the same.

Commissioners to take constitutional oath.

County clerks to notify magistrates when building is ready for occupancy.

SECTION 15. Whenever the said workhouse shall, in the opinion of the board of commissioners, be completed to insure the safe confinement and employment therein of persons intended to be confined therein, they shall make triplicate determinations thereof under their hands and seals, one of which they shall file in the office of the clerk of the circuit court of each respective county; one other they shall file with the clerk of each county, with instructions to said county clerks to send certified copies thereof to each justice of the peace, police magistrate, court commissioner and judges of county and circuit courts of their respective counties, within five days after receipt of said determination; and the other they shall cause to be published in several newspapers published in their respective counties.

The several boards of supervisors are empowered to borrow money.

SECTION 16. Said board of supervisors of the respective counties so united for the purpose of erecting a workhouse, are hereby authorized to

borrow from time to time on the credit of the county, such sum or sums of money as shall be necessary to defray proportionately the expenses of procuring the site and completing the erection of said workhouse, suitable out-houses, yard and appurtenances, and procuring the necessary furniture, fixtures and other things in and about the same; and the said board of supervisors of each county is hereby authorized and required to levy and collect a sum sufficient to repay the principal sum so borrowed in not more than twenty equal annual instalments, and also the interest that shall become due on the same, and the expenses of maintaining said workhouse, over and above all receipts for the labor of persons confined therein, audited by the commissioners and approved by the board of supervisors of each county, which shall be levied and collected in the same manner as other county charges are levied and collected; and the said board of supervisors, or the county treasurer under their direction, shall from time to time pay such drafts or orders as may be drawn by said commissioners for the cost of said site and the erection and the maintaining of said workhouse, not exceeding the amount at which said cost may have been fixed by the concerted action of the counties united for that purpose, and amounts properly audited by said commissioners for maintaining and conducting the same. The county chairman and the clerk of said counties, under the direction of said board of supervisors, may execute to the person or persons from whom such moneys have been borrowed such bond or bonds for the payment thereof as may be necessary or proper, which bond shall be binding upon said counties, and shall draw interest at the rate of five per cent. per annum.

Expense of conducting the workhouse to be apportioned among the counties.

SECTION 17. The expense of conducting and maintaining such a workhouse, after its completion by the several counties united for such purpose, is to be apportioned according to the number of persons convicted and sentenced to such workhouse by each respective county, at the rate

of not to exceed two and a half dollars per capita of such persons so committed. If any profits should arise from any work done and performed in and about said workhouse, over and above the amount necessary for the conducting and maintaining of said workhouse, the same shall also be apportioned according to the number of persons sentenced by each county jointly interested in said workhouse.

Manner of conveying person convicted to the workhouse by the proper officer.

SECTION 18. Any officer receiving the commitment of any prisoner upon a sentence to such workhouse from any judge, magistrate, court commissioner, or justice of the peace from their county so interested in said workhouse shall convey such prisoner to the workhouse as directed as soon as may be after such conviction and sentence shall have been had, and after delivering such prisoner to the superintendent of the workhouse, together with the copy of the certificate of conviction of the court ordering such imprisonment, the superintendent, or his assistant in charge, shall deliver to such officer a receipt acknowledging having received the prisoner, said receipt shall contain the date, name of the prisoner, the number of the commitment, the term of his imprisonment, the name of the officer by whom delivered, and be signed by the superintendent or his deputy. The officer receiving said receipt shall file the same in the office of the county clerk of the county where the prisoner was convicted and sentenced, within twenty-four hours after his return from said workhouse; and such officer shall receive as fees ten cents per mile, going and returning, but such officer shall not be entitled to more than one fee as prescribed herein for any one trip. In addition he shall receive five cents per mile transportation for each prisoner taken and delivered by him to said superintendent, which fees so prescribed shall be in lieu of all compensation in each case for such services.

Superintendent to keep an accurate account of all persons received by him, etc.

SECTION 19. The superintendent of said workhouse shall keep an accurate account of all persons so received by him for safe keeping, confinement and employment, and shall on the

first day of each and every month render a report to said commissioners, enumerating the number of persons received, giving the date when received, their name, age, place of residence, in what court convicted, by whom sentenced, crime charged, and when discharged, died or escaped. All commitments and certificates of conviction received by the superintendent shall be numbered, filed and recorded.

Sentences may be executed in the workhouse on discretion of court.

SECTION 20. From and after the passage and publication of this act all sentences to imprisonment within county jails of counties interested in an established workhouse, under the provisions of this act may, on discretion of the court, be made to be executed at such workhouse; and for this purpose the said workhouse is hereby declared to be a part of the county jail of each of said adjoining counties which makes use of the authority granted them herewith.

SECTION 21. All former acts and parts of acts in so far as they contravene any of the provisions of this act are hereby repealed.

SECTION 22. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 213, A.] [Published April 24, 1895.

CHAPTER 291.

AN ACT providing for the better supervision of banks and banking, for the appointment of a bank examiner, for the equipment and maintenance of his office and defining the duties thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State treasurer authorized to appoint a bank examiner, qualifications required.

SECTION 1. The state treasurer is directed and authorized to appoint, by and with the approval of the governor, a suitable person to examine and supervise the banking institutions of this state as hereinafter prescribed, who shall be officially designated as "bank examiner." Such officer shall be a skillful bank accountant, thoroughly conversant with the business of banking, and shall hold said office for the term of five years, and until his successor shall be appointed and qualified; and vacancies occurring in said office shall be filled by appointment for the balance of the unexpired term. Before entering upon the discharge of his official duties, such bank examiner shall take and subscribe the usual constitutional oath of office and file the same in the office of the secretary of state, and shall execute to the state a bond in the penal sum of twenty-five thousand dollars with two or more sureties to be approved by the governor, conditioned upon the faithful discharge by him of the duties of his said office. Said bank examiner shall appoint a deputy bank examiner, and may at any time revoke such appointment. Such deputy shall take, subscribe and file the same oath, file a like bond, and perform the same duties and exercise the same powers and authority in the discharge thereof as such examiner.

Bond required.

Shall appoint a deputy.

Definition of the word "bank."

SECTION 2. The word "bank" whenever used in this act shall include every banking, savings

or trust institution, concern and place of business in this state receiving money on deposit, except national banks and concerns engaged in other lines of business receiving on deposit or in trust the money of their employes only.

Shall use a seal.

SECTION 3. The bank examiner shall have a seal for his office, a description of which, with an impression thereof and a certificate of its approval by the governor, shall be filed in the office of the secretary of state.

Shall occupy room in the capitol.

SECTION 4. The examiner shall occupy a room or rooms in the capitol where he shall file and keep all papers, reports and public documents officially received by him, and which shall be supplied by the state with suitable furniture, stationery, and other office conveniences.

May appoint one or more clerks.

SECTION 5. The examiner may, with the consent of the state treasurer and approval of the governor, appoint one or more clerks to assist in the discharge of the duties of said office. The secretary of state shall audit, and the state treasurer shall pay all necessary charges for clerk hire, traveling or other necessary expenses of said office; provided, that before the secretary of state shall audit any account for clerk hire or such expense, the examiner shall file with such secretary a certificate setting forth the particular service rendered by such clerk or clerks, and the items of such expense, and the necessity for the same.

Duties of the examiner to visit banks, etc

SECTION 6. It shall be the duty of the examiner to visit, without any previous notice, once in each year and at such other times as he shall deem necessary, every bank in this state, and examine its resources and liabilities of every nature, and ascertain fully its financial condition. He shall specially determine the accuracy of the last official report or statement made by any bank in pursuance of law, and shall also examine particularly into any transaction he may deem foreign to a legitimate banking business or a violation of the laws governing such bank; provided, that if said bank examiner shall be a stockholder, officer, trustee, assignee or employe of any bank, the state treas-

urer, his assistant, or some competent person specially designated for such purpose by said treasurer, shall act as examiner of such bank. He shall at all times have free access to all records, books, securities and papers showing the resources and liabilities of any bank, or concerning its business; and is hereby authorized to examine on oath or affirmation any of the stockholders, officers, agents or employes of any bank, or any person doing business therewith, relative to the affairs and business thereof, and the substance of such examination shall be reduced to a written statement and subscribed by the person or persons examined, and such statement shall be filed in the office of such examiner. Such examiner may also when he deems proper, inform the directors of such bank of any fact or matter relating thereto disclosed to him in his examinations thereof. Any person who shall wilfully and corruptly swear, affirm, or declare falsely to any material matter or thing in any such examination shall be deemed guilty of the crime of perjury and shall be punished as provided in section 4471, of the revised statutes.

Fees to be paid by the banks for examination.

SECTION 7. Each bank examined shall be required to pay to said examiner at the making of the first such examination after the first Monday in July in each year, a fee which shall be for any bank having a combined capital and surplus of less than twenty-five thousand dollars, fifteen dollars; for any bank having a combined capital and surplus of twenty-five thousand dollars and less than fifty thousand dollars, twenty-five dollars; for any bank having a combined capital and surplus of fifty thousand dollars and less than one hundred thousand dollars, thirty-five dollars; for any bank having a combined capital and surplus of one hundred thousand dollars and less than two hundred thousand dollars, forty dollars; for any bank having a combined capital and surplus of two hundred thousand dollars and less than three hundred thousand dollars, forty-five dollars; and for any bank having a combined capital and surplus of three hundred thousand dollars or more, fifty

dollars. If such fee be not paid upon demand therefor when due the examiner shall institute an action in the name of the state against such delinquent bank for the recovery of the amount thereof. All such fees shall be paid into the state treasury to the credit of the general fund.

May issue subpœnas and administer oaths.

SECTION 8. Such bank examiner is hereby empowered in the performance of his official duties to issue subpoenas and administer oaths in the same manner as court commissioners of the circuit courts of this state; provided, that in case of any refusal to obey a subpoena issued by the bank examiner, or his deputy, such refusal shall be at once reported to the circuit court and said court shall enforce obedience to such subpoena in the manner now provided by law for enforcing obedience to the subpoenas of said court.

Banks to make reports and what they shall contain.

SECTION 9. Every such bank shall make to the examiner whenever requested by him, and not fewer than three times in each year, a report in the form which said examiner shall prescribe and furnish, and which shall conform as nearly as the examiner deems practicable to the form prescribed and furnished by the comptroller of the currency of the United States for reports of national banks. Such required reports shall be verified by the oath of the president, vice-president, cashier, treasurer, or other chief financial officer of such bank, and if such report be of an incorporated bank, it shall also be attested by the signatures of at least three of the directors thereof; providing, that if by reason of absence or other inability it shall be impracticable to obtain the signature of three directors, such report shall under oath specify such reason, and the attestation thereof by a director so absent or under disability shall thereupon be dispensed with. Such report shall exhibit in detail and under appropriate heads the resources and liabilities of the bank at the close of business of any past day by such examiner specified, and shall be transmitted to said examiner within five days after the receipt of the request therefor from him, and shall be

published in a newspaper in the city, village or town in which such bank is located; and due proof of such publication shall thereupon be transmitted to said examiner and filed in his office accompanied by such schedules and additional items as the examiner may require. In case there is no newspaper published in the city, village or town in which such bank is located, said report shall be published in a newspaper of general circulation within the county.

Penalty for failure to make reports.

SECTION 10. Every bank failing to make and transmit to the examiner any of the reports required by this act shall be subject to a penalty of one hundred dollars for each day of delay after the expiration of the time for making such reports as limited in the last preceding section, and whenever any bank upon demand therefor refuses or neglects to pay the penalty herein imposed for a failure to make and transmit such report, the examiner shall institute an action in the name of the state against such delinquent bank for the recovery of such penalty; and all moneys collected by such actions shall be paid into the common school fund of the state.

Procedure in case capital of a bank is impaired.

SECTION 11. Whenever the said examiner shall have reason to believe that the capital of any bank is impaired or reduced so as to endanger the interests of the depositors therein, it shall be his duty, and he shall have power at any time to examine said bank and ascertain its condition, and in case he deems it proper so to do, shall, by notice in writing, require such bank to make good any deficiency so appearing. If any bank shall refuse or neglect for thirty days after receipt of such notice, to make good such deficiency, the examiner shall cause to be published in a newspaper of general circulation in the county in which such bank is situated, a notice of such refusal or neglect, together with a statement of the condition of said bank.

Examiner to make report to the governor.

SECTION 12. On the second Monday in December, 1895, and semi-annually on the second Monday in June, and on the second Monday in December in each year thereafter, the examiner shall make a report to the governor of the state,

which report shall be published, and shall exhibit, as shown by the last reports made to said examiner: First, a tabulated summary of the condition of every bank from which a report has been received during the preceding six months, showing the amount and character of its resources and liabilities, and such other facts as in his judgment may be required; second, a statement of the banks whose business has been closed during the year, the amount of their resources and liabilities, and the amount paid the creditors thereof; third, the names of all stockholders or partners in each of said banks and the amount of the capital owned therein by each of such stockholders or partners. On the first day of January in each year the said examiner shall make to the state treasurer a statement of the expenses of his office, and the amount of fees received and fines collected during the preceding year.

Salary of examiner $3,000; deputy $2,000.

SECTION 13. The salary of the examiner shall be three thousand dollars per annum, and the salary of the deputy examiner two thousand dollars per annum; and the necessary amount to pay such salaries and all other expenditures required by this act is hereby annually appropriated.

Secrecy required by all officials.

SECTION 14. The said examiner, deputy examiner and every clerk and employe of the examiner's office shall be sworn to keep secret all facts disclosed, and information obtained in any examination made under the provisions of this act except so far as otherwise officially required. Neither the examiner nor any person connected with his office, shall disclose the names of any debtor of any bank, nor anything relative to any private accounts or transactions therewith, except in case of proceedings in court for the liquidation of such institution. Violation of this section by any person connected with the office of bank examiner, shall subject the person or persons so offending, when convicted, to forfeiture of office, and to the payment of a fine of not less than one hundred dollars nor more than one thousand dollars, or imprisonment in the state

prison not less than six months nor more than five years, or to both such fine and imprisonment.

SECTION 15. This act shall not be construed to amend section 2024, of the revised statutes of Wisconsin.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 261, S.] [Published April 23, 1895.

CHAPTER 292.

AN ACT to exempt from taxation for a term of years real estate owned by the Milwaukee Medical College.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Real estate of Milwaukee Medical College exempted for 6 years.

SECTION 1. The real estate owned by the Milwaukee Medical College, described as follows, to-wit: The north ninety-three and one-half feet of lots number four, five and six, in block number one hundred and seventy-four in the fourth ward in the city of Milwaukee, county of Milwaukee and state of Wisconsin, being ninety-three and one-half feet in front on Ninth street by one hundred and fifty feet in front on Wells street, and the buildings and appurtenances thereon situated, or hereafter erected or constructed thereon during the time hereinafter mentioned, is hereby exempted from general taxation for and during the term of six years from and after the passage and publication of this act; provided, however, that the said premises be used for hospital purposes, and at least one-fourth of the patients shall be treated without charge during said time; and whenever said

premises shall cease to be so used, their exemption from taxation shall cease.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 577, A.] [Published April 23, 1895.

CHAPTER 293.

AN ACT to limit the rate of taxation in counties and towns.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 1074, of the revised statutes of the state of Wisconsin, is hereby amended by adding thereto the words: "Provided, however, that the total amount of county taxes assessed, levied and carried out against the taxable property of any county in any one year shall not exceed, in the whole, three per cent. of the total assessed valuation of said county for the preceding year as fixed by the state board of equalization; except in cases where a larger percentage may become necessary in order to meet indebtedness incurred by said county prior to March 1, 1895." County taxes shall not exceed 3 per cent.

SECTION 2. Subdivision 1, of section 776, of Sanborn and Berryman's annotated statutes of the state of Wisconsin, is hereby amended by striking out all after the word "town" in the fourth line and inserting the following, to-wit: "provided, however, that the total taxes levied in any town in this state for any one year for all purposes, including taxes for schools, whether under the district or township system, Town taxes shall not exceed 3 per cent.

by the electors of said town at any regular or special town meeting of said town, or by the supervisors of said town, shall not exceed three per centum of the total assessed valuation of such town for the preceding year as equalized by the county board of equalization; except that a larger percentage may be levied when necessary to pay indebtedness incurred prior to March 1, 1895." So that said section will read when amended as follows:

Section as amended.

1. To vote to raise money for the repair and building of roads and bridges, or either; for the support of the poor and defraying all other charges and expenses of the town; provided, however, that the total taxes levied in any town in this state for any one year for all purposes, including taxes for schools, whether under the district or township system, by the electors of said town, at any regular or special town meeting of said town, or by the supervisors of said town, shall not exceed three per centum of the total assessed valuation of such town for the preceding year as equalized by the county board of equalization; except that a larger percentage may be levied when necessary to pay indebtedness incurred prior to March 1, 1895.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 160, S.] [Published April 27, 1895.

CHAPTER 294.

AN ACT to amend chapter 326, laws of 1889, as amended by chapter 312, laws of 1893, relating to the general charter law of the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

City may own and operate its own lighting plant.

SECTION 1. Subdivision thirty-fourth of chapter 326, laws of 1889, is hereby amended by adding the words, "and for furnishing lighting to the inhabitants of such city upon such terms as may be provided by the common council by ordinance" after the word "otherwise" in the third line of said subdivision. And by striking out the word "to" in the third line of said subdivision and by adding in place of said word "to" the following words: "May own and operate its own lighting plant, or may," so that said subdivision when amended shall read as follows: "Thirty-fourth. To provide for lighting the streets, public grounds and buildings, with gas or otherwise, and for furnishing lighting to the inhabitants of such city upon such terms as may be provided by the common council by ordinance; and for such purpose may own and operate its own lighting plant, or may contract by ordinance or otherwise, with any person, persons, company, or corporation, for a term not exceeding ten years at any one time, at such price, on such terms, and subject to such limitations as may be prescribed by such ordinance or contract."

Lighting and water works shall be operated by board of public works.

SECTION 2. Section 95, of chapter 326, laws of 1889, is amended by adding the words, "or lighting works," after the words, "water works," in the first line thereof, so that such section shall read as follows: Section 95. In cities where the water works or lighting works are

owned by the city the same shall be operated under the direction of the board of public works.

Provisions for lighting or water works shall be adopted by three-fourths of the members of the council.

SECTION 3. Section 96, of chapter 326, laws of 1889, is hereby amended by inserting the word "purchase" after the word "construction" in the third line thereof and by adding the words, "or lighting works," after the words, "water works," in the fourth line thereof, and also by inserting the words "or lighting works" after the words "water works," in the seventh line thereof and by striking out the words 'a majority" where they appear in the ninth line thereof and inserting the words "three-fourths" in place thereof, so that said section shall read as follows: Section 96. The common council shall have power to legislate on all matters with reference to the construction, purchase, operation, management and protection of water works or lighting works for the city, not contravening the provisions of this act or the constitution or laws of the state; provided, however, that all provisions relating to water works or lighting works not herein otherwise provided, shall be adopted by a vote of not less than three-fourths of all the members of the council.

City may acquire lands for lighting or water works buildings.

SECTION 4. Section 97, of chapter 326, laws of 1889, is hereby amended by adding the words, "or for the construction and operation of lighting works to supply the city and the inhabitants thereof with electric or other lighting," after the word "water" in the sixth line thereof, and by adding the words "or lighting works" after the words "water works," in the eighth line thereof, so that said section shall read as follows: Section 97. The city may acquire, by purchase or otherwise, as specified in this act for acquiring real estate for the public use, such lands as may be necessary for the construction and operation of water works to supply the city and the inhabitants thereof with water; or for the construction and operation of lighting works to supply the city and the inhabitants thereof with electric or other lighting; provided, that in cases where the water works or lighting works are owned by private persons or corpora-

tions, the expenses of acquiring such real estate shall be paid by such persons or corporations on a proper conveyance being made to such persons or corporations of such real estate.

Rates to be collected by the city treasurer.

SECTION 5. Section 98, of chapter 326, laws of 1889, is amended by adding the words "or lighting works" after the words "water works," in the first line thereof, and by adding the words "or charges for lighting" after the words "water rates," in the second line thereof, so that said section shall read as follows: Section 98. When cities own the water works or lighting works the water rates or charges for lighting shall be collected by the city treasurer, and shall be first devoted to the expenses of maintaining and operating the works, and paying the principal and interest of any indebtedness created in the construction thereof, and the balance, if any, shall be paid into the general fund.

Common council to fix the rates to be paid in advance.

SECTION 6. Chapter 326, laws of 1889, is hereby amended by adding thereto a section immediately following number 106 thereof, to be numbered section 106a, and to read as follows: Section 106a. The common council in every city governed by this act, or which shall adopt these sections of this act relating to lighting works, may by ordinance fix the rates to be charged to the inhabitants thereof for lighting furnished by such city, and may provide for the collection of the same either quarterly or semi-annually, in advance or otherwise, provided such rates shall be uniform for like services in all parts of the city.

Subdivisions 6 and 7 amended.

SECTION 7. Subdivision six, section 133, laws of 1889, is amended by adding the words "lighting works" after the words "water works" in said subdivision, so that said subdivision shall read as follows: Sixth. Water works, lighting works, sewers and drains. Subdivision seventh, section 133, laws of 1889, is amended by striking out the words "lighting works for streets and public buildings" so that said subdivision shall read as follows: Seventh. Public parks, public drives, boulevards, cemeteries, garbage grounds, public hospitals, and purchasing sites for public buildings.

City not to erect competing works if owners of private works are willing to sell to the city.

SECTION 8. Whenever any city decides by a vote of not less than three-fourths of all the members of the common council to own and operate its own lighting works for the purpose of furnishing light to the inhabitants of such city, other than for lighting streets, public buildings and parks, and if at such time there shall be in operation lighting works owned and operated by a private person, persons or corporation, established under authority of such city, in such case such city shall not erect competing works for private lighting, provided the owners of such existing works shall be willing to sell such works to the city as hereinafter provided. The price to be paid for such existing lighting works shall be its fair value for the purpose for which it is used, including as an element of value, the earning capacity of such works, based upon the actual earnings derived therefrom, no portion of such works to be estimated, however, at less than its fair value for any other purpose. The city clerk shall notify the owner of such works when the city has voted to own its own lighting works for furnishing light to its inhabitants, whereupon such owners, if they elect to sell, shall within thirty days after service of such notice file with the city clerk a schedule describing the real estate and all other property composing the whole of such works, the terms and price they will sell for and when to be delivered to the city. In case such city and owners cannot agree on the terms of the sale, then three appraisers shall be selected, as follows: One by the city, one by the owners of said works and the third by these two; each appraiser shall be a citizen of this state and reside outside of the county in which such city is situated, unless otherwise mutually agreed. Each shall within ten days after his appointment and acceptance, file with the clerk of such city his oath of office; and such appraisers shall immediately proceed to examine the property of such lighting works, hear the parties interested, and determine the fair value of such works, on the basis heretofore set forth,

Proceedings to be had to effect a sale to the city.

and shall file their findings and conclusions in writing with the city clerk, describing such property and the price, terms and time of delivery agreed upon; such filing to be not later than thirty days from the time of their first meeting. In case that either party shall feel aggrieved by such findings, such party may within thirty days after the filing of the same by such arbitrators, apply by petition to the circuit court of the county in which such city is situated, setting forth the facts, and praying an adjudication between the parties, together with a certified copy of such findings, and thereafter said court or the presiding judge thereof, after giving both parties an opportunity to be heard at a time and place to be fixed by order, shall appoint a commission of three disinterested persons, all non-residents of the county in which said city is situated, who shall file their oath of office with such court and give the parties an opportunity to be heard, and shall examine the property and receive such evidence as the parties desire to offer, and shall thereupon adjudicate upon all matters properly submitted to the arbitrators in accordance with the provisions of this act, and what the price, time and other conditions of the sale and delivery shall be. Such commissioners shall act under the supervision of said circuit court and shall file their award in writing for revision or confirmation by the court. The court shall have jurisdiction upon the revision or confirmation of the award of the arbitrators to enter a judgment according to equity and to enforce the same as in equitable actions.

SECTION 9. The provisions of this act shall not apply to cities which constitute the division known as the first class.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 430, S.] [Published April 27, 1895.

CHAPTER 295.

AN ACT to appropriate to the Wisconsin State Agricultural Society the sum of three thousand dollars.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$3,000 appropriated to the Wisconsin State Agricultural Society.

SECTION 1. There is hereby appropriated to the Wisconsin State Agricultural Society a sum not exceeding three thousand dollars for the purpose of paying a special tax levied on the Cold Spring property in the city of Milwaukee while said society had possession of the same, provided said society is liable for the payment of such tax or any part thereof in the opinion of the attorney-general of the state, and the amount certified by said attorney-general as the extent of such liability shall be paid over to the treasurer of said society under the provisions of this act, and no more.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 397, S.] [Published April 27, 1895.

CHAPTER 296.

AN ACT relating to the payment and report to the secretary of state of claims and accounts against the boards of regents of normal schools and the state university.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Claims against the boards of regents of normal schools and state university, how paid.

SECTION 1. No claim or account shall be hereafter paid by or under the authority of the board of regents of normal schools and the board of regents of the state university unless the said claim or account shall specify the nature and particulars thereof, and be verified by the oath, affidavit or affirmation of the claimant or his agent, in writing, and shall have been certified in writing thereon by the officer or member of said board designated by resolution of said board to certify claims and accounts for payment.

Itemized statement of payments to be made to the secretary of state.

SECTION 2. It shall be the duty of each of said boards within ten days after the expiration of any quarter to transmit to the secretary of state an itemized statement of all payments made by it or under its authority during the preceding quarter, certified by the president and secretary of said board, which said statement shall be included in the biennial report of the secretary of state.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 41, S.] [Published April 30, 1895.

CHAPTER 297.

AN ACT to amend section 5, of chapter 339, laws of 1889, entitled, "An act to provide for the relief of indigent and needy union soldiers," etc.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Compensation of members of the county soldiers' relief commission.

SECTION 1. Section 5, of chapter 339, of the laws of 1889, is hereby amended to read as follows: Section 5. The county board of supervisors shall allow the persons composing the commission the same compensation allowed members of the county board, for regular meetings of said commission and their actual expenses incurred in the performance of their duties, as defined in this act, on presentation of an itemized statement of the same; provided, however, that there shall not exceed four such meetings in one year. Provided, further, that in all counties having a population of thirty thousand or over the county board of supervisors may fix a salary to be paid to the secretary of the soldiers' relief commission not exceeding the sum of five hundred dollars per annum, to be paid quarterly out of the treasury of said county, and such salary so fixed shall be in full for all services rendered by said secretary, and in lieu of all fees except disbursements for stationery and postage. Provided, further, that in all counties having a population of one hundred thousand or over the board of supervisors may fix a salary to be paid to the members other than the secretary of the soldiers' relief commission, not exceeding the sum of three hundred dollars per annum, and such salary so fixed shall be in full for all services rendered by said commissioners and in lieu of all fees.

Salary may be paid to secretary in counties containing over 30,000 people.

And to members of the commission in counties of over 100,000 people.

SECTION 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 32, S.] [Published April 30, 1895.

CHAPTER 298.

AN ACT to provide for a fire proof structure to protect and accommodate the collections of the State Historical Society of Wisconsin, including the state historical museum and the records and relics of the late civil war.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Commissioners authorized to act for the construction of a fire proof building for the state historical museum.

SECTION 1. Three persons to be selected by the executive committee of the State Historical Society of Wisconsin from their own number, three persons to be selected by the board of regents of the University of Wisconsin from their own number, and three persons to be appointed by the governor from the state at large, are hereby constituted a board of commissioners, a majority of whom shall have power to act, for the construction of an adequate and substantial fire proof building, upon that part of the grounds of the university of Wisconsin known as lots one, two, three, twenty-two, twenty-three and twenty-four, block six, city of Madison, and so much of lots four and twenty-one in said block as may by said commissioners be deemed necessary as a site, for the accommodation of the library and museum of the said state historical society, and such other libraries and collections as may be placed in the

custody of said historical society. Before the appropriation herein provided for shall be available, the site above named shall be conveyed by the regents of the university of Wisconsin to the state of Wisconsin to be held for the purposes specified in this act. Such commissioners shall act without compensation, and without liability excepting for misconduct; and in case of death, refusal to act, or removal with or without cause of either of them, his place shall thereby be rendered vacant, and shall be filled in like manner by the same authority by which he was selected, and such authority neglecting to act, said vacancy may be filled by the remaining commissioners.

Commissioners shall procure suitable plans, advertise for bids and let contracts.

SECTION 2. The board of commissioners shall procure suitable plans, detailed drawings, and specifications for the building authorized by this act, and upon the approval of the same by a two-thirds majority may advertise for and receive bids for the construction and completion thereof or parts thereof, in such form and manner as to them shall seem proper, such advertisement for bids to be published at least four weeks in daily newspapers published in at least five of the larger cities of the state prior to the time of receiving such bids; and they may make a contract or contracts for the construction of said building and cause the same to be constructed at a cost not exceeding the appropriation hereby made. The board of commissioners are hereby authorized to choose from their number the usual officers for the execution of contracts and obligations and the conduct of business, and may make such rules and regulations to govern their action as may seem proper. They shall select a secretary not of their number, who shall among other things keep a record of their proceedings and of the contracts made by them, and upon the completion of the building he shall deposit such record with the secretary of state. Upon presentation to the secretary of state of a certified statement of materials furnished and labor performed, the same duly authorized by resolution of said

Shall select a secretary. His duties.

board, signed by its acting president and countersigned by its secretary, the secretary of state shall from time to time draw his warrant on the state treasurer for the payment thereof out of any moneys applicable thereto under the appropriation by this act made and provided for. The board shall cease to exist on filing a final report in the office of the secretary of state and the formal turning over of the building for occupancy.

Shall adopt a plan to admit of enlargements.

SECTION 3. It is made the duty of said commissioners by this act to adopt a plan for the said building which will readily admit of such enlargements as in the future may be required.

State historical property to be transferred upon completion of the new building.

SECTION 4. Upon the completion of said building, all the property of the state now held in trust by said state historical society and occupying any part of the state capitol, shall be transferred to said new building and be deposited therein for safe keeping and free public use, and no article thereof, or part of the same, when duly placed in said building, shall be permanently removed therefrom without authority of law or the consent of the legislature; provided, this restriction shall not prevent the sale or exchange of any duplicates that the society may have or obtain. The governor is hereby authorized in his discretion to place in said building, in the custody of the state historical society, such battle flags and trophies of the civil war as are in possession of the state.

One-tenth of a mill state tax to be collected for three years.

SECTION 5. For the purpose of constructing the building provided for in this act, there shall be levied and collected annually for three years, beginning in the year 1897, a tax of one-tenth of a mill for each dollar of the assessed valuation of the taxable property of the state, the same to be paid out by the state treasurer on warrants drawn by the secretary of state in accordance with the provisions of section 2 of this act.

Commissioners of public lands authorized to loan $150,000 from the trust funds.

SECTION 6. The commissioners of public lands be and they are hereby authorized from time to time to loan to the board of commissioners aforesaid, subject to the provisions of

chapter 167 of the general laws of Wisconsin for the year 1881, and acts amendatory thereof so far as applicable, such part of the state funds as they shall deem prudent, not to exceed one hundred eighty thousand dollars; such loans to be repaid from the appropriation by this act made, with interest on such loans. If the loans be made from other than trust funds, the rate of interest shall be that required by the state treasurer on deposits in bank made pursuant to chapter 273 of the general laws of Wisconsin for the year 1891, and the acts amendatory thereof.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 192, S.] [Published April 29, 1895.

CHAPTER 299.

AN ACT to amend section 3324, of the revised statutes for 1878, as amended by section 4, of chapter 328, of the laws of 1881.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Costs in case of a sale of property under the lien law not to exceed $25.

SECTION 1. Section 3324, of the revised statutes of Wisconsin, as amended by chapter 328, of the laws of 1881, as amended by chapter 256, of the laws of 1893, is hereby amended by adding after the word "liens" where the same occurs in the 18th line of said section, the words "which costs of such action shall not exceed the sum of twenty-five dollars, exclusive of disbursements," so that said section when so amended shall read as follows: Section 3324. The judgment in such action shall adjudge the amount due to the plaintiff, or in case several

claims or liens are embraced in the action, the amount due to each claimant who is a party to the action. It shall direct that the interest of the owner in the premises at the time of the commencement of the construction, repairs, removal or work of or upon the dwelling house, building, machinery, bridge, wharf or erection thereon, well, cellar, fountain, cistern, fence, water-lot, walk, sidewalk, curbing, grading, filling, leveling, grading and graveling any street, alley, roadway or gutter, on account of which such liens are claimed, or which he or any person claiming under him has since acquired, or so much thereof as may be necessary, be sold to satisfy the amount of the lien of the plaintiff, or of the several liens embraced in the action, with the costs of such action, including the costs of filing the claims for liens, which costs of such action shall not exceed the sum of twenty-five dollars exclusive of disbursements; and that after satisfying the same, together with such costs, that the residue of the proceeds be brought into court with the report of sale, to abide the order of the court. If the premises can be sold in parcels, without injury to, or to the advantage of the parties, the court may adjudge that the sale be so made. If the plaintiff in any such action fails to establish his lien upon the premises described in his complaint and claim for lien, but establish a right to recover upon contract for his alleged work and labor done, or materials furnished, he may have a personal judgment in the action against the party liable for the amount due him, with or without costs, to be taxed in his favor or in favor of the defendant, in like manner as if the action were for the recovery of money only.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 713, A.] [Published April 27, 1895.

CHAPTER 300.

AN ACT to prescribe the number and duties of the legislative employes and the compensation of the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

The officers and clerks of the senate enumerated.

SECTION 1. The officers of the senate, other than the president ex-officio and the president pro tempore, shall be one chief clerk, one assistant chief clerk, one journal clerk, one bookkeeper, one proof reader, one engrossing clerk, one enrolling clerk, one index clerk, one custodian of the engrossing room, one custodian of the enrolling room, two stenographers, one clerk of the judiciary committee, one clerk of the joint committee on claims, one clerk of the committee on state affairs, one sergeant-at-arms, one assistant sergeant-at-arms, one postmaster, one assistant postmaster, one document clerk, one document room attendant, four door keepers, one gallery attendant who shall act as committee room attendant, two committee room attendants, one janitor, one custodian, one night watchman, one night laborer and night messengers.

The officers and clerks of the assembly.

The officers of the assembly, other than the speaker, shall be one chief clerk, one assistant chief clerk, two journal clerks, two bookkeepers, one stationery clerk, one proof reader, one index clerk, one engrossing clerk, one enrolling clerk, one custodian of the engrossing room, one custodian of the enrolling room, two stenographers, one clerk of the judiciary committee, one clerk of the committee on state affairs, one sergeant-at-arms, one assistant sergeant-at-arms, one postmaster, one assistant postmaster, one day attendant, four door keepers, two gallery attendants who shall act as committee room attendants, one document room clerk, one document room attendant, one porter

who shall act as wash room attendant, two cloak room attendants, one night watchman, one flagman, two custodians for committee rooms and twelve messengers. The chief clerk of the senate and assembly shall appoint their own assistants, and may discharge any of said assistants for cause, or from the cessation of the work which made their employment necessary. After the legislature has been in session thirty days the chief clerks of the senate and assembly may employ for each house an assistant index clerk, an assistant enrolling clerk, an assistant engrossing clerk, and four comparing clerks, a clerk each for the committees on engrossed bills and enrolled bills, and the chief clerk of the assembly may appoint a clerk for the committee on bills in their third reading, should the good of the service demand it. The chief clerks may employ such copyists as the proper and expeditious transaction of the business may require, not to exceed, however, fifteen in the senate and twenty in the assembly. The messengers may be assigned for attendance upon committees when necessary. The sergeant-at-arms of each house shall appoint and have full charge of the employes in his department, and shall have full authority to discharge any employes who are unfit or unqualified for the service assigned to them and employ competent persons in their places. No employes other than these provided for in this act shall be employed by authority of joint resolution or otherwise, except by act of the legislature.

Additional clerks may be employed after thirty days in session.

Chief clerks to employ copyists.

Sergeant-at-arms shall have charge of all his employes.

SECTION 2. The chief clerks shall receive a salary of eight hundred dollars each for every regular session, and ten dollars per diem for each special session, and fifty dollars for opening each session, which shall be in full for all services rendered. The other officers and employes of the senate and assembly shall receive pay per diem as follows: The assistant clerks, six dollars each. The journal clerks, book keepers, index clerks, and sergeant-at-arms, five dollars each. The proof readers, enrolling clerks, engrossing clerks, stationery clerks, assistant

Salary of chief clerks and all other employes of the senate and assembly.

index clerks, assistant sergeant-at-arms, postmasters, document room clerks, document room attendants and general attendants of the assembly, clerk of joint committee on claims and clerk of judiciary committee of each house, clerk of the committee on state affairs of each house, four dollars each. The assistant postmasters, assistant enrolling clerks, assistant engrossing clerks and all other committee, three dollars and fifty cents each. The messengers two dollars each. All other clerks and employes three dollars each. The copyists shall be paid one dollar per day from the date of their employment, and fifteen cents per folio for enrolling, and ten cents per folio for other copying, the term "folio" meaning one hundred words, full count, and only on accepted work. Every clerk or employe on the chief clerk's or sergeant-at-arm's forces shall assist, when required, at any other work than that to which he is regularly assigned, when the good of the service can be promoted thereby. No per diem shall be allowed after the close of the session, except for two days to the index clerks, whose duty it shall be within that time to satisfactorily and fully complete indexing of the journals, and in case such work is not so completed a sufficient sum shall be reserved from the pay of the clerk who may make the default, to insure the completion of their work.

Printing the the bills, memorials, etc., by the state printer.

SECTION 3. All bills, memorials, joint resolutions and the journals of the two houses shall be printed by the state printer, who shall furnish three hundred copies of each, in form and size as is now provided by law, and shall furnish the senate and assembly with two hundred and fifty proof sheets of the proceedings of each house, printed on tinted paper, for examination and correction, and after the proof has been carefully read and all errors eliminated two hundred and fifty copies of the journal of each house shall be printed in size and form as is now prescribed by law, of which ten copies shall be upon bond paper. He shall also print on good book paper, and bind in half binding with

sheep backs and corners, five hundred copies of the journals of each house of the legislature as now prescribed by law, five of the copies printed upon bond paper as aforesaid shall be furnished to the chief clerk of the senate, and five copies to the chief clerk of the assembly who shall preserve them until the close of the session. After the index shall have been completed, the chief clerk of the senate and the chief clerk of the assembly shall each cause one copy of the journal and index of the house of which he is such officer, printed on bond paper, to be bound and lettered properly, and shall attach thereto his certificate in writing, that the same is the journal of such house, and shall deliver the same to the secretary of state to be deposited in his office, which printed journals shall be the official record of the legislature. The compensation of the state printer for the printing of bills, memorials, joint resolutions and the journals, shall be as is now provided by law.

Chief clerks to certify name of employes to secretary of state.

SECTION 4. The chief clerks of the senate and assembly and sergeant-at-arms of each house shall certify to the secretary of state the names of all persons employed in their respective departments, the capacity in which employed, and the amounts respectively due them, which certificate shall be approved by the presiding officer of the house in which they are employed. Upon such certificate the secretary of state shall draw his warrant upon the state treasurer for the amounts therein named, and the same shall be paid out of the state treasury. At the close of each session of the legislature the secretary of state shall publish in the official state paper a full list of the accounts so audited.

SECTION 5. Chapter one of the laws of 1893 and all acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 155, S.] [Published April 29, 1895.

CHAPTER 301.

AN ACT to appropriate money to pay for the copies of Sanborn and Berryman's annotated statutes furnished this legislature pursuant to joint resolution number three senate.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to pay for annotated statutes furnished the legislature.

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated a sum sufficient to pay for the copies of Sanborn and Berryman's annotated statutes furnished this legislature by the superintendent of public property pursuant to joint resolution number three senate. The account for said statutes shall be audited by the secretary of state, on its approval by said superintendent, provided that the cost thereof shall not exceed four dollars and fifty cents per volume.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 365, S.] [Published April 29, 1895.

CHAPTER 302.

AN ACT relating to legalizing special assessments for street improvements and providing for re-assessments of special taxes in certain cases in all cities of the first and second class in this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Re-assessment for improvements can be had when former one is declared to be invalid—manner of procedure.

SECTION 1. In case, in any action, now pending or hereafter brought to set aside or vacate any special assessment against property, for opening, widening or extending any street or alley or part thereof, or for grading, graveling, macadamizing, paving or re-paving any street or alley, or part thereof, or making any other improvement thereof, or for constructing any sewer therein, in any city of this state, or to set aside or vacate any special assessment certificate, tax sale or tax sale certificate, based upon such special assessment, the court shall be of the opinion, after a hearing in that behalf had, that such assessment is invalid by reason of a defective assessment of benefits and damages, it shall stay all proceedings in such action until a new assessment thereof is had in the manner hereinafter mentioned. Thereupon, the proper city authorities shall proceed to make a new assessment of benefits and damages against the property of the plaintiff in such action, in like manner as required by law in the case of such original assessment, and such plaintiff shall have the same right to appeal from such new assessment as he or his grantors would have had from such original assessment. If the plaintiff shall desire to contest the validity of such new assessment, he shall, within ten days after its confirmation by the common council, file with the clerk of the court, and serve

upon the defendant's attorneys, his objections in writing to such new assessment, and thereupon the court shall direct an issue to be made up involving the objections aforesaid, which issue shall be tried summarily by the court, and thereupon the court shall file an order sustaining or overruling the objections of the plaintiff aforesaid. When by such order such new assessment of benefits and damages shall be held invalid, subsequent assessments may be had, in the manner and form as hereinbefore provided, and the same proceedings may be resorted to, to determine the validity of such assessments. When the amount to be assessed against the plaintiff's property has been finally determined by an assessment of benefits and damages to which no objections are filed, as aforesaid, or which, if objections are so filed, the court shall hold to be valid and regular, or, when an appeal is taken, upon such appeal, the court shall make an order requiring the plaintiff to pay into court, within a time to be fixed by such order, for the use and benefit of the defendant, or the parties entitled thereto, the amount which, based upon such valid new assessment, he ought justly to pay, or which should be justly and equitably assessed against the property in question, and the court shall, upon the plaintiff's complying with said order, within the time so limited, order judgment for the plaintiff with costs, and in default of plaintiff complying with such order within the time so limited, the action shall be dismissed with costs in favor of the defendant.

Stay of proceedings may be had and an issue of trial made up.

SECTION 2. If, in any action now pending or hereafter commenced, the validity of any special assessment certificate, or tax sale or tax sale certificate, based upon an assessment for any of the purposes mentioned in section 1, of this act, is attacked and sought to be set aside, upon grounds other than those affecting the validity of the assessment of benefits and damages, or in addition thereto, the court after a hearing in that behalf had, shall be of opinion that the same is void by reason of any failure

to observe any provision of law, or by reasons of any act or defect in the proceedings upon which such special assessment certificate, tax sale or tax sale certificate is based, which has intervened to the prejudice of the plaintiff, it shall immediately stay all proceedings in the action, and shall cause an issue to be made up involving the extent of the injury which the plaintiff has suffered by reason of such failure or such act or defect, and such issue shall be tried summarily by the court. In the event that in such action the validity of the assessment of benefits and damages upon which such special assessment certificate, tax sale or tax sale certificate is based, is attacked and such assessment shall be set aside, such issue shall only be tried after a new assessment has been had, as provided by section 1 of this act.

After issue has been tried and determined the court shall make an order.

When such issue has been tried and determined, the court shall make an order requiring the plaintiff to pay into court, within the time to be limited in such order, for the use and benefit of the defendant, or parties entitled thereto, the amount which he ought justly to pay, or which should be justly and equitably assessed against the property in question, based upon the finding of the court upon such issue, or in case a new assessment of benefits and damages is had, upon such new assessment and such finding, and upon such payment being made within such time, the court shall order judgment for the plaintiff with costs, but, in the event that the plaintiff fails to pay such amount within the time so fixed by the court, the action shall be dismissed with costs in favor of the defendant.

Contract to keep property in good repair does not invalidate special assessments.

SECTION 3. No special assessment or certificate thereof or tax-sale certificate based thereon shall be held to be invalid for the reason that any contract which has been heretofore or may hereafter be let, contains on the part of the contractor a guarantee or any provision to keep the work done under such contract in good order or repair for a limited number of

years when such guaranty or provision was inserted therein for the purpose of insuring the proper performance of such work in the first instance. All such provisions in contracts for doing public work, inserted for the purpose aforesaid, are hereby legalized, and all such provisions shall be deemed prima facie to have been inserted for that purpose, unless the time during which the contractor is required to keep the work in good order or repair shall exceed five years.

Repeal and modification of former acts.

SECTION 4. All acts or parts of acts which are inconsistent with this act; or not in harmony with its provisions and operations, are hereby declared to be modified, amended, superseded or repealed, in so far as they interfere with or are at variance with the true intent, meaning and operation of this act.

Does not apply to cities of the 3d and 4th class.

SECTION 5. The provisions of this act shall not apply to cities of the third or fourth class, whether operating under general or special charters.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 201, S.] [Published April 29, 1895.

CHAPTER 303.

AN ACT to provide clerks of county courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. In every county within this state, the county judge thereof, if he deems it advisable may appoint from time to time, subject to removal, a competent person, to act as clerk of the county court of such county, and the person so appointed shall be officially styled and known as "register in probate." Such register in probate shall before entering on the duties of his office take and subscribe the constitutional oath of office and file the same in the office of the clerk of the circuit court for such county.

County judge may appoint a register in probate.

SECTION 2. It shall be the duty of such register to perform such duties as he is directed to by said county judge, and whenever said county judge shall be absent from the county seat, or is otherwise disabled, and any application shall be made to the county court, requiring notice of hearing to be given by the court, the register in probate may cause such notice to be given, and an order directing such notice shall be signed as follows:

Duties of the register in probate.

"By the Court:

——— ———,

Register in Probate."

And the notice given accordingly, when so signed by the register in probate, shall have the same force and effect as if signed by the county judge.

SECTION 3. The appointment of such register in probate may at any time, in the discretion of the county judge be revoked and annulled, and whenever from any cause a vacancy shall exist in said office of register in probate, such

Appointment may be revoked at any t me.

vacancy may be filled by appointment by such county judge.

Salary to be fixed by the county board.

SECTION 4. The county board of any county, in which a register in probate may be appointed, in which the salary of said register is not now fixed by law, is hereby authorized in its discretion from time to time to fix the salary of such register in probate, and appropriate a sufficient sum of money annually to pay the compensation so fixed, and in counties where no appropriation is made by the county board, the services of such register in probate shall be paid for by the county judge. This act shall not apply to counties having registers of probate appointed or elected under a special law.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 62, S.] [Published April 29, 1895.

CHAPTER 304.

AN ACT to amend section 46, chapter 288, of the laws of 1893, entitled, "An act to consolidate and revise the statutes of the state relating to general elections, the conduct, canvass and returns of the same, and to secure the secrecy and purity of the ballot, and for other purposes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Assistance rendered disabled voter to prepare his ballot.

SECTION 1. Section 46, of chapter 288, laws of 1893, is hereby amended so as to read as follows: Any voter who declares to the presiding election officer that he is a voter and cannot read or write or that by physical disability

other than total blindness he is unable to mark his ballot, shall be informed that he can have the assistance of either of the inspectors, clerks or ballot clerks to assist him in marking his ballot or two of them if he desires. In case of total blindness, however, the voter may be assisted by any person chosen by him from among the legal voters of the county in which such voting precinct is located. The person or persons selected shall retire to the booth or compartment with the elector, and such officer or officers, or person selected to assist a blind man shall read the names of all the candidates on the ballot for each office, and ask the elector, "Which one do you vote for?" and the ballot shall be marked according to the expressed preference of the voter, and such officer or officers or person selected to assist a blind man shall certify on the outside that the ballot was marked with his or their assistance, and shall thereafter give no information regarding the same. The presiding officer at the election may, in his discretion, require such declaration of disability to be made by the voter under oath before him and he is hereby qualified to administer the oath. Intoxication shall not be regarded as a physical disability and no intoxicated person shall for that reason be entitled to assistance in marking his ballot. After a ballot has been marked for a voter, he shall not show such ballot to any person; provided, however, that it may be submitted to another election officer, or if by a blind man, to such person as he may select, to ascertain if it has been marked as he desired. The clerk shall enter upon the poll list after the name of any elector, who had assistance in marking his ballot, a memorandum stating that the ballot was marked by an inspector or clerk or person selected by a blind man.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 424, S.] [Published April 27, 1895.

CHAPTER 305.

AN ACT to provide compensation for the officiating chaplains of the senate and assembly for the session of 1895.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to the officiating clergymen of the legislature.

SECTION 1. There is hereby appropriated to each and every clergyman who has or may hereafter officiate as chaplain of the senate and assembly the sum of fifteen dollars for each week of such service during the session of the legislature for the year 1895. The payment shall be made upon the certificates of the chief clerks of the senate and assembly showing the amount to which each such chaplain is entitled.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 202, S.] [Published April 29, 1895.

CHAPTER 306.

AN ACT to authorize a compilation of the statutes of this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Messrs. Sanborn & Berryman authorized to compile the statutes of the state.

SECTION 1. Arthur L. Sanborn and John R. Berryman, the compilers of the annotated statutes of Wisconsin, are hereby authorized to prepare and publish in two volumes, of about four thousand pages, more or less, as soon as practicable after the adjournment of the legislature

of 1897, the public general laws of the state of Wisconsin which shall be in force at the close of the first session of the legislature of 1897, together with notes of cases decided by the supreme court of this state which construe and apply such laws, notes of such other cases, and such other matter as they may deem proper. Such statutes shall be compiled in the general form and style of the annotated statutes, preserving the sectional arrangement and numbering of the revised statutes of 1878 as far as possible, and designating new sections by the use of numerals and letters, as in the annotated statutes. When published such statutes shall be prima facie evidence in all courts and places, and in all actions and proceedings whatsoever, as provided by section 4135, of chapter 476, of the revised statutes of 1878. But they shall not preclude reference to, nor control, in case of any discrepancy, the effect of any original act as passed by the legislature. Such statutes shall be known as the "Wisconsin Statutes of 1898."

Such statutes to be prima facie evidence in all actions and proceedings

SECTION 2. The compilers are hereby appointed as a committee, without compensation, to prepare and report to the legislature of 1897, at the commencement of its first session, bills for the correction of such errors and to harmonize such discrepancies in the statutes as they shall deem advisable, together with such additional sections as they shall deem proper to carry out the general design and spirit of the statutes. Their report shall accompany the bills so to be reported by them, showing the necessity and advisability of the various sections of the bills so reported, and shall be printed by the public printer, and shall be so drawn as to clearly exhibit every change, verbal or otherwise, so proposed by them, so that it may be readily seen what part of the statutes remains unaffected, and what part is proposed to be modified.

Appointed a committee to report errors, etc., to the legislature.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 241, S.] [Published April 30, 1895.

CHAPTER 307.

AN ACT to amend chapter 262, of the general laws of the state of Wisconsin of the year 1893, entitled, "An act to authorize cities having a population exceeding twenty thousand and less than one hundred thousand to issue bonds in certain cases therein mentioned, and legalizing assessments for street and other improvements mentioned therein."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regarding the issuance of bonds by cities of over 10,000 and less than 100,000 people.

SECTION 1. Chapter 262, of the general laws of the state of Wisconsin, of the year 1893, is hereby amended so as to read as follows: Section 1. All cities of the state incorporated by and operating under a special charter granted by the legislature of the state of Wisconsin, and which charter contains provisions for issuing bonds for street, harbor and sewer improvements, and having or which may hereafter have a population exceeding ten thousand and less than one hundred thousand, to be determined by any general census or by any special census heretofore or hereafter taken by said city or by a census taken for that purpose by said city, are hereby authorized in addition to powers now possessed by them to issue bonds as hereinafter provided.

When special bonds may be issued to pay for special assessments.

SECTION 2. In all cases where general bonds shall have been issued for the payment of the cost of street, sewer, harbor, or other improvements, for which special assessments shall have been made against real estate benefited by such improvement, any such city may issue special bonds, payable only out of the proceeds of such special assessments when collected, and with the consent of the holder or holders of all such general bonds outstanding, may substitute such

special bonds for such general bonds; or the common council of such city may, by resolution adopted by two-thirds of its members elect, for the purpose of reducing its general indebtedness, and substituting special bonds therefor, purchase for the lowest price at which they may be offered after three weeks' notice by publication, any such outstanding general bonds out of any funds in its treasury not otherwise appropriated, and required for any purpose within six months from the date of such purchase; and thereafter shall immediately issue in lieu of such general bonds, special bonds as hereinafter provided, to the amount of the par value of the bonds so purchased, or for such less amount as shall equal the cost of such bonds so purchased, and shall sell such special bonds, and out of the proceeds of such sales shall reimburse itself for the funds with which such general bonds shall have been purchased. Such special bonds shall be semi-annual interest coupon bonds, payable in annual installments, the last of which shall be payable at such time as the common council may determine, not exceeding ten years from the first day of March next ensuing, and shall draw interest at a rate not exceeding six per centum per annum; and shall specify upon their face, that they are issued for the payment of special improvements, designating the particular improvement for which they are issued; that they are payable, principal and interest, out of the special assessment made for such improvement only; shall in general terms designate the particular property upon which they are a lien, and may contain such other provisions and recitals, not inconsistent herewith, as the common council may determine; they shall be signed by the mayor and countersigned by the clerk and city comptroller of said city, and shall have the corporate seal affixed thereto. The city clerk shall carefully prepare a statement of the special assessments on which the bonds are issued, and record the same, together with a copy of said bonds, in his office. The city treasurer shall pay the in-

terest and principal of said bonds out of the assessments collected therefor, as the said bonds become due; provided, however, that said city may loan from its general fund to any of the special assessment funds herein mentioned, any amount of money which shall be necessary to pay any installment of principal or interest upon said bond, which shall become due and payable prior to the collecting of any assessments, for the payment thereof. Such cities are hereby further authorized and empowered to issue special installment improvement bonds of the same character as those herein provided for, for the payment of the cost of any street, harbor, sewer or other improvement, hereafter to be made, and for which special assessments shall have been or may hereafter be made against the real estate specially benefited thereby. In issuing such special improvement bonds, to cover special improvements to be hereafter made in addition to the requirements of the charter of said city, the notice required by section 191, of chapter 326, of the laws of 1889, and the acts amendatory thereof, shall be given, and it shall further be lawful for the common council of any city which shall have heretofore levied a special assessment upon property benefited for the purpose of grading, curbing or paving the street or building a sewer, to extend the time of payment of such assessment or any part thereof by dividing the unpaid portion of such assessment into installments bearing interest not to exceed six per cent. per annum, payable semi-annually. One of each of such installments to mature in each year after five years, and the last of which installments shall mature not later than ten years from the first day of the month next after such division is made; provided, that no such extension of time shall be granted until the owner or owners of the property so specially assessed shall petition such common council for such extension, and shall waive all irregularity in such assessment and in the extension thereof, and the common council shall thereupon be authorized to issue

improvement bonds of the form herein provided, not exceeding the amount of such assessment, so extended and payable out of the same when collected and out of no other fund.

Manner of preparing the tax roll after the issuance of bonds.

SECTION 3. In each year after the issue of said bonds, until all of them are paid, when the tax roll for the year is prepared, sufficient of the special assessment on each parcel of land covered by said bonds to pay the annual installment of the principal and the interest on the amount of said special assessment then unpaid, shall be extended upon the tax roll as a special tax on said property, and shall be collected in the same manner as other taxes are collected, and when collected, shall constitute a special fund for the payment of such special bonds and shall be used for no other purpose.

Special assessments outlawed after nine months.

SECTION 4. No action shall be maintained to avoid any of the special assessments or taxes levied pursuant to the same or to avoid or set aside said bonds unless said action shall be commenced within nine months after the date of the signing of said bonds covering such special assessment; and said bonds, after the expiration of said nine months, shall be conclusive proof of the regularity of all proceedings from and up to the valuation and assessment of the lands affected, and up to and including the issuing of the said bonds.

New bonds may be issued to replace those declared void.

SECTION 5. When any such city shall have issued bonds, which for any reason shall be void, it may issue in lieu thereof new bonds, and any proceeding had as the basis for the issuance of any such void bonds shall in all respects be sufficient as a basis for the issuance of such new bonds; and all such proceedings up to and including the making of the assessment, are hereby in all respects legalized and confirmed; and no action or proceeding shall be commenced to set aside any such assessments or proceedings, unless commenced within nine months after the passage of this act; and such new bonds so issued, may at the option of the council, be either general bonds or special improvement bonds, the issuance of which are provided

for in this chapter, as the exigencies of the case may require. The common council of any city herein mentioned, shall, before the issuing of any of the bonds mentioned in this section, pass a resolution providing for the issuance thereof, and such resolution shall be sufficient authority for such issue. When general bonds shall be issued as provided in this chapter, the resolution providing for such issue shall specify the form of the bond to be issued thereunder.

Special improvement bonds to be a lien against property. Manner of foreclosure.

SECTION 6. The special improvement bonds herein mentioned shall be a lien against all lots, parts of lots or parcels of land, against which special assessments have been made, which lien shall take precedence of all claims or liens thereon, and when issued shall transfer to the holders thereof, all the right, title and interest of such city in and to the assessments made for the purpose of improvement mentioned therein, and the liens thereby created, with full power to enforce the collection thereof by foreclosure, in the same manner as mortgages on real estate are foreclosed; but the time for redemption therefrom shall be fixed by the court, and a copy of the bond foreclosed may be filed as a part of the judgment roll in said action in lieu of the original thereof. If within ninety days after the commencement of the annual sale of lands for taxes, the amount to pay any installment of principal or interest shall not have been collected by the city, the owner or owners of at least one-third in par value of bonds issued on any single improvement may proceed in his or their own names to collect the same by foreclosure thereof, in any court of competent jurisdiction, and shall recover in addition to the amount of said bonds and interest, all costs against the property of the party or parties in default; provided, however, that the owner of any property covered by such bonds may redeem the same at any time before the judgment by payment to the county clerk of the amount due against such property, together with ten per cent. additional thereon, which shall be in full of all costs chargeable to such property in such

action. Any number of the holders of such bonds for any single improvement, may join as plaintiffs in any such action, and any number of the owners of, or other persons interested, in the property covered by the assessment upon which such bonds are issued, and on which the said bonds are a lien, may be joined as defendants in any such action; and in case more than one action of foreclosure shall be commenced upon a single improvement, such actions may be consolidated. Any holders of bonds for the same improvement, who do not join as plaintiffs, may be made defendants in the action, and their rights adjudicated therein. Such bonds shall be equal liens upon the property for the assessments represented by such bonds without priority one over another, to the extent of the several assessments against the lots and parcels of land against which the special assessments shall have been made. Upon the commencement of any such action, the plaintiff shall cause a notice thereof to be filed in the offices of the county clerk and county treasurer, designating the particular property affected by such foreclosure and thereafter no redemption of any such property from such assessments shall be had, without payment of all costs theretofore accrued in such action, except as hereinbefore provided.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 206, S.] [Published April 30, 1895.

CHAPTER 308.

AN ACT relating to railroads and amendatory of section 1833, of the annotated statutes of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

In regard to the consolidation of lines of railroad. How it may be effected. Regarding bonds.

SECTION 1. Section 1833, of the annotated statutes of Wisconsin, is hereby amended by striking out the words, "lease or purchase, and," in line twenty-eight thereof, and substituting in their place the words, "give or take a lease, or may sell or purchase and give or," and by striking out the punctuation mark (.) and inserting in line thirty-four of said section after the words, "purchasing corporation," the punctuation mark (:), so that said section as thus amended shall read as follows: Section 1833. Any railroad corporation organized and existing under the laws of the territory or state of Wisconsin, or existing by consolidation of different railway companies under the laws of the territory or state of Wisconsin, and of any other territory or territories, state or states, may consolidate its stock, franchises and property with any other railroad corporation, whether within or without the state, when their respective railroads can be lawfully connected and operated together, to constitute one continuous main line, with or without branches, upon such terms as may be agreed upon and become one corporation by any name selected, which within this state shall possess all the powers, franchises and immunities, including the right of further consolidations with other corporations under this section, and be subject to all the liabilities and restrictions of this chapter, and such in addition, including land grants and exemptions of land from taxation as such corporations peculiarly possessed or were subject to at the time

Leases and purchase of railroads.

of consolidation or amalgamation by the laws then in force applicable to them or either of them. Articles stating the terms of consolidation shall be approved by each corporation, by a vote of the stockholders owning a majority of the stock in person or by proxy, at either a regular annual meeting thereof or a special meeting called for that purpose in the manner prescribed by section 1826, or by the consent in writing of such stockholders annexed to such articles; and a copy thereof, with a copy of the records of such approval, or such consent, and accompanied by lists of their stockholders, and the number of shares held by each, duly certified by their respective presidents and secretaries, with the respective corporate seals affixed of such corporations, shall be filed for record in the office of the secretary of state before any such consolidation shall have any validity or effect. Any such railroad corporation may give or take a lease, or may sell or purchase, and give or take a conveyance or assignment of the railroad, franchises, immunities, and all other property and appurtenances, and the stock or bonds thereof, of any other railroad corporation, whether organized under or created by the laws of this state or of any other state or of the United States, or any portion thereof, within or without this state, when their respective railroads can be lawfully connected and operated together, to constitute one continuous main line, or when the road so purchased will constitute branches or feeders of any road maintained and operated by such purchasing corporation. And any such railroad corporation may purchase and hold the stock or bonds of any railway company, to which it has furnished the money for the construction of its railway, or may purchase for the money so furnished, or for such other consideration as may be agreed upon between the companies by their respective boards of directors, and take a conveyance of the whole or any portion of the franchises of said corporation, and of the railway property and appurtenances thereof,

and all acts, purchases and conveyances heretofore made by any railway company of this state, which are authorized by this act, are hereby legalized, ratified and confirmed; provided, however, that nothing herein contained shall be construed to legalize any contract or indenture of lease heretofore entered into between a corporation of this state and any corporation organized under or created by the laws of the United States. But no railroad corporation shall consolidate with, or lease or purchase, or in any way become owner of, or control any other railroad corporation, or any stock, franchises, rights or property thereof, which owns or controls a parallel and competing line, to be determined by jury.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 246, A.] [Published April 29, 1895.

CHAPTER 309.

AN ACT to authorize the common council of cities of the first class to create wards and to change the boundaries of existing wards in such cities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Apportionment anew after each census.

Whereas, It is the duty of the legislature after each census to apportion anew the state in the senate and assembly districts, and

Changing of wards to conform with the population.

Whereas, It is necessary, owing to the change in population in different sections of cities of the first class, that from time to time the boun-

daries of wards be changed and new wards be created, so that the population of the several wards of such cities shall be nearly equal, to enable the legislature to comply with the mandate of the constitution and redistrict according to the number of inhabitants; therefore:

Common council of all cities of 40,000 and over authorized to readjust and change boundaries of wards, upon a two-thirds vote in favor of same.

SECTION 1. The common council of all cities of the first class, and of all cities organized under special charter, containing a population of forty thousand and upwards, is hereby authorized by a two-thirds vote, on or before the first day of December after each state and national census, to redistrict, readjust and change the boundaries of wards within such city, so that the wards shall be as nearly equal in population as may be, and for accomplishing the purposes of this act, such common council may create new wards and consolidate old ones, but no ward shall be created having a population less than eight thousand nor exceeding twenty thousand. In the redistricting of the city, as herein provided, the original numbers of the wards and the geographical outline shall as far as possible be retained, and the wards so created and the old ones the boundaries of which are changed shall be in as compact form as practicable.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 17, S.] [Published April 29, 1895.

CHAPTER 310.

AN ACT to amend section 837, of the revised statutes relating to town treasurers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

How town treasurers shall pay and keep a record of orders.

SECTION 1. That subdivision fourth of section 837, of the revised statutes, is hereby amended so as to read as follows: The amount of moneys raised for all other town purposes shall be applied to the payment of all other lawful orders upon the town treasury. The treasurer shall keep a record of all such orders presented to him for payment showing the date and order of presentation, the number, date, amount and name of drawee, and shall endorse upon such orders so presented the fact and date of presentation for payment and sign his name thereto, and as said orders are paid note the fact of payment on said record; said orders shall be paid in the order of their presentation as shown by said record when there are funds in the treasury.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 263, S.] [Published April 29, 1895.

CHAPTER 311.

AN ACT to provide for the publication of a bulletin or handbook of information on the agricultural resources of the newer portions of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The dean of the college of agriculture of the university of Wisconsin is hereby authorized and directed by and with the aid of his assistants, to prepare a bulletin or handbook describing the agricultural resources of Wisconsin, especially the newer and more thinly settled districts, with reference to giving practical, helpful information to the home-seeker. This book shall describe the climate, soils and agricultural characteristics of this region; it shall give help and counsel in pointing out the crops best suited to the various sections, and the agricultural industries in which the people can wisely and safely embark. It shall contain information relative to the location and prices of the cheaper lands and how they may be obtained by the settler. In general it shall set forth the advantages of the newer portions of this state for those seeking homes on lands in the effort to draw to Wisconsin a desirable class of farmers.

Handbook describing the agricultural resources of the newer parts of the state to be issued.

SECTION 2. In this work the agricultural possibilities and advantages of the newer sections of the state shall be set forth clearly, fairly and without favoritism or undue preference for one section above another.

Agricultural possibilities and advantages to be set forth.

SECTION 3. The handbook shall consist of not exceeding two hundred pages of printed matter, tables, etc., with suitable illustrations, all on good book paper, prepared in an attractive manner. The copy of this report shall be

To consist of 200 pages, suitably illustrated and ready by Jan. 1, 1896.

completed and submitted to the commissioners of public printing not later than January 1st, 1896, and if approved by them, they shall order from the public printer not less than fifty thousand copies, bound in paper cover.

Distribution, how effected and to whom.

SECTION 4. The superintendent of public property shall distribute from this edition, twenty-five copies to each member of the assembly, fifty copies to each member of the senate, one hundred copies to the governor, fifty copies to each state officer, and the remainder of the edition shall go the college of agriculture of the university of Wisconsin for distribution in such manner as will best further the effort hereby contemplated. The plates of this handbook shall be stereotyped and other editions may be ordered by the commissioners of public printing if in their judgments the interests of the state can thereby be advanced, said additional copies to be distributed by the college of agriculture. The commissioners of public printing are further directed and permitted to authorize the publication of additional copies of this handbook for sale by the superintendent of public property to counties, corporations or individuals, at cost. All moneys arising from the sale of said handbooks shall be covered into the treasury by the superintendent of public property together with a statement of all sales made.

Additional copies may be printed.

$2,000 appropriated.

SECTION 5. There is hereby appropriated to the regents of the university of Wisconsin a sum not to exceed two thousand dollars, or so much of said sum as may be needed for the necessary expenses of the several investigators in visiting and studying the agricultural features of the several sections of this state specially treated in this handbook, for purchasing material needed in making investigations, for collecting and tabulating statistics, for securing and preparing suitable illustrations, and for such other purposes as may be needed in preparing this work; provided, however, that there shall be no payment or increase of salary be-

cause of this work to any investigator or assistant regularly employed by the university.

SECTION 6. There is hereby appropriated from the treasury out of the moneys not otherwise appropriated, a sum sufficient to meet the purposes of this act.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 103, S.] [Published April 29, 1895.

CHAPTER 312.

AN ACT to provide a contigent fund to be used for the prevention of cholera and other dangerous contagious diseases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

$50,000 appropriated for the prevention of contageous diseases.

SECTION 1. There is hereby appropriated to the state board of health, out of any money in the state treasury not otherwise appropriated, a sum not exceeding fifty thousand dollars for the two years ending February 1, 1897, which shall be for a fund, which, by and with the advice and consent of the governor, may be drawn upon by the said board, and used by it in such manner as may seem to it necessary to prevent the introduction or spread of Asiatic cholera or other dangerous contagious disease in the state.

$15.00 may be paid for per diem services of the members of the board.

SECTION 2. Any member of the state board of health, except the secretary, who is engaged in work for the prevention or control of Asiatic cholera outside of the city in which such member resides, shall be allowed and paid for the time in which he is actually so engaged, such sum as the governor may approve, not exceed-

ing fifteen dollars per day, in addition to traveling and other necessary expenses.

Unexpended balance to revert to the general fund.

SECTION 3. Any part of the money appropriated by this act which shall not have been expended before the first day of February, 1897, shall then revert to the general treasury of the state.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 311, S.] [Published April 29, 1895.

CHAPTER 313.

AN ACT to regulate the civil service of cities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

City service commissioners may be appointed by the mayor.

SECTION 1. The mayor of each city in this state, of the first class or of the second class, as defined by section 1, of chapter 312, of the general laws of Wisconsin, enacted in 1893, whether such city be incorporated by special act of the legislature or under the general laws of the state, shall, before the fifteenth day of June, A. D. 1895, or the fifteenth day of June in the year next following the first state or national census, showing such city to belong to either said first or said second class, appoint four persons, citizens and residents of said city, who shall constitute and be known as the board of city service commissioners of such city, and shall designate one of the persons so appointed to serve for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year, from the first Monday of July in the year of their appointment

and until their respective successors are appointed and qualified; and in each and every year after such first appointment, the mayor shall in like manner, in the month of June, appoint one person as the successor of the commission whose term shall expire in that year, to serve as such commissioner for four years from the first Monday of July then next ensuing and until his successor is appointed and qualified. Three commissioners shall constitute a quorum necessary for the transaction of business. Any vacancy in the office of commissioner occurring during the term shall be filled for the unexpired term by appointment by the mayor, and all appointments, both original and to fill vacancies, shall be so made that not more than two commissioners shall at the time of any appointment be members of the same political party. Said commissioners shall hold no lucrative office or employment under the United States, the state of Wisconsin, or any municipal corporation or political division thereof, and each commissioner shall, before entering upon the discharge [of the duties] of his office and within ten days after receiving notice of his appointment, take and subscribe the oath of office prescribed by the constitution of this state, and file the same, duly certified by the officer administering it, with the clerk of his city, and no salary or other compensation for his services shall be paid to any such commissioner.

Qualifications of commissioners defined.

SECTION 2. The said commissioners shall make rules adapted to carry out the purposes of the act and not inconsistent with its provisions, for the examination and selection of persons to fill offices and positions in the service of their respective cities, which are required to be filled by appointment, and for the selection of persons to be employed in the service of such city. All rules so made shall be subject to the approval of the mayor of the city, and they may with like approval be from time to time altered or rescinded by said commissioners. The said commissioners shall supervise the administration of

Shall make rules adapted to carry out the purposes of the law.

the rules so established, and they shall, on or before the fifteenth day of March in every year, report to the mayor their doings during the preceding year, including any rules adopted under the provisions of this section.

Rules.

SECTION 3. The rules mentioned in section 2 of this act may be made from time to time:

For examination of applicants for office.

1st. For open, competitive and other examinations by which to test applicants for office or for employment as to their practical fitness to discharge the duties of the positions which they desire to fill, which examinations shall be public and free to all citizens of the United States, with proper limitations as to residence, age, health, sex, habits and moral character.

Filling vacancies.

2d. For the filling of vacancies in offices and places of employment in accordance with the results of such examinations, and for the selection of persons for public employment in accordance with such results, or otherwise, as may seem most desirable to carry out the provisions of this act.

For promotions in office.

3rd. For promotions in office or position on the basis of ascertained merit and seniority in service and examination as may seem desirable.

For a period of probation.

4th. For a period of probation before an appointment or employment is made permanent.

Rules to be printed.

All rules made as provided in this act and all changes therein shall forthwith be printed for distribution by said board.

All appointments to be made in conformity with rules adopted.

SECTION 4. From and after the adoption of such rules, all appointments to subordinate offices, positions and employments in the several departments of the service of such city which are subject to such rules, shall be made by the respective heads of such departments under and in conformity with the provisions of such rules, and such heads of departments shall respectively have power to remove or discharge at pleasure any person holding any subordinate office, position or employment in their respective departments.

All applicants shall be subject to examination.

SECTION 5. All applicants for offices, places or employments in the civil service of such city, except those mentioned in section 6, shall be

subject to examination under and in accordance with the rules so made by said commissioners. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the particular service to which they seek to be appointed, and shall include tests of physical qualifications and health, and, when appropriate, of manual skill. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment or selection to an office or for employment within the scope of the rules established as aforesaid, shall be in any manner affected or influenced by such opinions or affiliations.

Officers and others who are exempted from the rules.

SECTION 6. Officers who are elected by the people, or who by statute are required to be elected by the city council, inspectors and clerks of election, members of any board of education, the superintendents and teachers of schools, heads of any principal department of the city, all members of the law, fire and police departments, officers and clerks for the faithful discharge of whose duties a superior officer is required to give bond, one private secretary of the mayor, and any other officers, clerks or employes in the service of the city whose positions, in the judgment of the said city service commissioners cannot, for the time being, be subjected, with advantage to the public service, to the general rules prepared under this act, shall not be affected as to their election, selection or appointment, by such rules made by said commissioners.

What the application shall contain.

SECTION 7. Every application, in order to entitle the applicant to appear for examination or to be examined, must state the facts under oath on the following subjects: (1) Full name, residence and postoffice address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) previous employment in the public service; (7) business or employment and residence for the previous five years; (8) education. Such other information

shall be furnished by the applicant as may reasonably be required by the board touching the applicant's fitness for the public service.

Appointment of chief examiner and his duties.

SECTION 8. The said board shall appoint a chief examiner whose duty it shall be, under their direction, to superintend any examinations held in such city under this act, and who shall perform such other duties as the board shall prescribe. Such chief examiner shall be ex-officio secretary of said board, and under the direction of such board he, as such secretary, shall keep minutes of its proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the board may from time to time prescribe. Such chief examiner shall receive a salary to be fixed by said board at a sum not exceeding fifteen hundred dollars a year, which shall be paid monthly by the city on the certificate of the president of said board. He shall be subject to removal at any time by the board. The said board of commissioners may also incur such expenses, not exceeding five hundred dollars a year, as it may deem necessary, for printing and stationery and other incidental matters.

Board shall control all examinations.

SECTION 9. The board shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official services of the city, to be examiners, and it shall be the duty of such examiners, and, if in the service of the city, it shall be a part of their official duty, without extra compensation, to conduct examinations as the board may direct, and make return or report thereof to such board; and the board may at any time substitute any other person, whether or not in such service, in the place of any one so selected, and the board may themselves at any time act as such examiners and without appointing examiners. The examiners at any examination shall not all be members of the same political party, and no person shall serve in an examination of candidates for office under the provisions of this act in case

of a relative or connection by marriage within the degree of first cousin.

Notice of examination shall be given by publication.

SECTION 10. Notice of the time, place and general scope of every examination shall be given by the board by publication for two weeks preceding such examination, in one or more daily newspapers of general circulation published in such city, and such notice shall also be posted by said board in a conspicuous place in their office two weeks before such examination. Such further notice of examinations may be given as the board shall prescribe.

Register of each grade or class to be kept.

SECTION 11. From the returns or reports of the examiners, or from the examinations made by the board, the board shall prepare and keep a register for each grade or class of position in the service of such city, of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of such board, and who are otherwise eligible; and such person shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.

Immediate notice of appointment shall be given.

SECTION 12. Immediate notice in writing shall be given by the appointing power to said board of commissioners of all appointments, permanent or temporary, made in those branches or departments of the civil service of such city which are subject to this act and the rules of said board, and of all transfers, promotions, resignations or vacancies from any cause in such service, and of the date thereof; and a record of the same shall be kept by said board. When any office or place of employment subject to such rules is created or abolished, or the compensation attached thereto is altered, the officer or board making such change shall immediately report in writing to said board of commissioners.

Board to make annual report to the mayor.

SECTION 13. Said board of commissioners shall, on or before the fifteenth day of March in each year, make to the mayor for transmission to the city council, a report showing its

own action, the rules in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this act. The mayor may require a report from said board at any other time.

Officers of the city to aid the board in all proper ways.

SECTION 14. All officers of any such city shall aid said board in all proper ways in carrying out the provisions of this act, and, at any place where examinations are to be held, shall allow the reasonable use of the public buildings for holding such examinations. The mayor of each city shall cause suitable rooms to be provided for said board at the expense of such city; and a sufficient sum of money shall be appropriated each year by each city to carry out the provisions of this act in such city.

Corrupt or unfair examinations prohibited.

SECTION 15. No person or officer shall willfully and corruptly, by himself or in co-operation with one or more other persons, defeat, deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing or willfully or corruptly make any false representations concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, being appointed, employed or promoted.

No account to be allowed unless lawfully incurred.

SECTION 16. No accounting or auditing officer shall allow the claim of any public officer for services of any deputy or other person employed in the public service in violation of the provisions of this act.

Shall certify all appointments to the city comptroller.

SECTION 17. The board of city service commissioners shall certify to the comptroller all appointments to offices and places in the civil service of the city, subject to their rules, and all vacancies occurring therein, whether by dismissal, resignation or death. No comptroller of any such city shall approve the payment of or

be in any manner concerned in paying any salary or wages to any person, subject to such rules, for services as an officer or employe of such city, before the appointment of such person to the city service has been certified by the board to the comptroller, nor after the vacation of such person's office or employment shall have been so certified.

Cannot receive pay until appointment has been certified by the city comptroller.

SECTION 18. No paymaster, treasurer or other officer or agent of such city shall willfully pay, or be in any manner concerned in paying, any person subject to the rules adopted by said commissioners under this act, any salary or wages for services as an officer or employe of such city, before the appointment of such person to the civil service of such city has been certified by the board to the comptroller, nor after the vacation of such person's office or employment shall have been so certified.

People violating the law shall be guilty of a misdemeanor.

SECTION 19. Any person who shall willfully, or through culpable negligence, violate any provision of this act or any rule promulgated in accordance with the provisions thereof, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than fifty dollars, and not exceeding one thousand dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment in the discretion of the court.

In case of conviction office declared vacant.

SECTION 20. If any person shall be convicted under the next preceding section, any public office which such person may hold shall, by force of such conviction, be rendered vacant, and such persons shall be incapable of holding office for the period of five years from the date of such conviction.

How prosecutions may be instituted.

SECTION 21. Prosecutions for violations of this act may be instituted either by the attorney-general, the state's attorney for the county in which the offense is alleged to have been committed, or by the board acting through special counsel. Such prosecutions shall be conducted and controlled by the prosecuting offi-

cers who institute them, unless they request the aid of other prosecuting officers.

SECTION 22. All acts and parts of acts, including all provisions of any city charter, so far as they conflict or are inconsistent with the provisions of this act are hereby repealed.

SECTION 23. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 335, S.] [Published April 29, 1895.

CHAPTER 314.

AN ACT to promote the establishment and efficiency of free public libraries in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State library commission created.

SECTION 1. The governor shall appoint two persons who, with the president of the university of Wisconsin, the state superintendent, and the corresponding secretary of the state historical society, shall constitute a state library commission. One of the members appointed by the governor shall be appointed for a term of five years and the other shall be appointed for a term of four years. All subsequent appointments shall be for terms of five years each, except appointments to fill vacancies. The commission shall annually elect a chairman and a secretary.

Commission to give advice and counsel to all free libraries.

SECTION 2. The commission shall give advice and counsel to all free libraries in the state, and to all communities which may propose to

establish them, as to the best means of establishing and administering such libraries, the selection of books, cataloguing and other details of library management. The commission may also send its members to aid in organizing new libraries or in improving those already established. The commission shall make a biennial report to the governor, and one thousand copies of this report shall be published as other official reports are published.

No compensation allowed except traveling expenses.

SECTION 3. No member of the commission shall receive any compensation for services as a member, but their traveling expenses in attending meetings of the commission or in visiting or establishing libraries, and other incidental and necessary expenses connected with the work of the commission shall be paid, provided, that the whole amount shall not exceed the sum of five hundred dollars in any one year. All bills incurred by the commission or its members under this law shall be certified by the chairman and secretary of the commission to the secretary of state, who shall cause the same to be paid from the state treasury, and there is hereby annually appropriated from the general funds in the state treasury, not otherwise appropriated, a sufficient sum to carry into effect the provisions of this act.

Appropriation] $500.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 720, A.] [Published April 30, 1895.

CHAPTER 315.

AN ACT to authorize the governor of the state of Wisconsin to appoint commissioners to examine certain lands in Polk county, Wisconsin, with a view to acquiring title to said lands; to be used as a public park, and owned by the state of Wisconsin, and to report their proceedings to the governor.

To acquire lands for a public park at head of St. Croix river.

Whereas, The Dalles of the St. Croix river, situated in Polk county, Wisconsin, at the head of navigation of the St. Croix river and the lands adjacent thereto, comprise the most picturesque and attractive scenery in the state of Wisconsin, attracting a great number of visitors from our own and other states, and constituting a source of happiness and recreation to the public generally, and

Private parties have acquired the title to adjoining lands.

Whereas, Private parties have been permitted to acquire the title to the adjoining lands commanding a view of the Dalles and scenery and the natural attractions of the place, and public interests require that said lands as well as the natural scenery and attractions, should be forever kept open for the occupation and use of the public, so that every citizen of Wisconsin and of the United States may equally participate in their enjoyment; therefore,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Governor is authorized to acquire for th state certain named lands.

SECTION 1. The governor of the state of Wisconsin is hereby authorized and empowered to acquire for and in the name of the state of Wisconsin in the manner hereinafter provided, and for the purposes hereinafter designated, the title to all those tracts, pieces and parcels of land lying and being in the county of Polk, state of Wisconsin, described as follows, to-wit: Lot

four (4) of section thirty (30), township thirty-four (34), range eighteen (18) west; the northwest quarter of the northwest quarter of section thirty-one (31), township thirty-four (34), range eighteen (18) west, the southwest quarter of the northwest quarter of section thirty-one (31), township thirty-four (34), range eighteen (18) west; lot five (5), section thirty-six (36), township thirty-four (34), range nineteen (19) west; lot six (6), section thirty-six (36), township thirty-four (34), range nineteen (19) west; the southeast quarter of the northeast quarter of section thirty-six (36), township thirty-four (34), range nineteen (19) west; and that portion of lot four (4), section thirty-six (36), township thirty-four (34), range nineteen (19) west, which lies north of the quarter line of said section; together with all streets, alleys and parks abutting on said property, containing two hundred and fifty (250) acres, more or less, said land and the title thereto to be held by the state of Wisconsin, and to be appropriated to public use as a public park for all time under such regulations as the legislature may from time to time prescribe, and in carrying such regulations into effect the governor of this state is authorized to confer and co-operate with the governor of Minnesota, in the event that said state appropriates an amount of land to public use for park purposes along the west bank of the St. Croix river opposite the lands herein described as now contemplated by the legislature of Minnesota, and such conference and co-operation may extend to all matters pertaining to acquiring, improving and preserving said park, and connecting such portions thereof as may lie in different states by such bridges or means as to them shall seem suitable and necessary.

Governor may appoint a commission of three persons to determine the value of land.

SECTION 2. To acquire the title to said lands the governor is hereby authorized and empowered to appoint a commission composed of three persons, one of whom shall be a resident of St. Croix Falls, Polk county, to examine and determine the value of the land to be appropriated

to public use, and to the purposes above designated, said commissioners shall qualify and organize as a commission by electing one of their members chairman, and one secretary, and shall proceed in all respects to determine the value of each tract of land and parcel appropriated, in the manner provided in sections 605, 606, and 607 of the annotated statutes of the state of Wisconsin, to make contracts for the purchase of such lands, receive and accept donations therefor. At least six months before the convening of the legislature of Wisconsin in 1897, said commissioners shall make out and file with the governor a report describing each tract and parcel of land taken, with all streets, alleys and other public property appropriated, and the value thereof as found or determined by them, with all contracts of purchase, evidences of donations, and results of all proceedings in condemnation together with a bill to be submitted to the legislature of 1897, for appropriate legislation to ratify and carry into effect the acts and proceedings of such commissioners.

State not to be obligated until the action of the commissioners has been ratified by the legislature.

SECTION 3. Nothing in this act contained shall be construed as in any manner obligating the state of Wisconsin to pay any money for the purchase of such lands or as divesting the title of the owners of such lands until the acts and proceedings of such commissioners shall have been ratified and approved by appropriate legislation and the necessary appropriations made therefor.

Shall have power to administer oaths.

SECTION 4. The commissioners appointed under this act shall have power to administer oaths, and to summon and examine witnesses.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 226, S.] [Published April 24, 1895.

CHAPTER 316.

AN ACT to amend section 40, subdivision 28, of section 52. Sections 61, 62, 65, 69, 70, 71, 79 and 208, of chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes, and providing for their incorporation and government." Section 26, of chapter 326, of the general laws of 1889, as amended by section 14, of chapter 312, of the general laws of 1893, entitled, "An act dividing cities into classes, and providing for their incorporation and government." Section 218, of chapter 326, of the laws of 1889, as amended by section 59, of chapter 312, of the general laws of 1893, entitled, "An act dividing cities into classes and providing for their incorporation and government." Section 24, of chapter 326, general laws of 1889, as amended by section 12, of chapter 312, of the general laws of 1893, entitled, "An act dividing cities into classes and providing for their incorporation and government."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Duties of village clerks in case village votes in favor of a city charter.

SECTION 1. Section 12, of chapter 326, of the general laws of 1889, as amended by section 5 of chapter 312, of the general laws of 1893, is hereby amended by inserting after the word "of" in the last line of said section 12, the words "the wards of" so that said section 12, when so amended, shall read as follows: Section 12. The result of the election as canvassed by the inspectors shall be returned to the clerk of such village, if it be incorporated, and otherwise to the clerk of such town. If a majority of the votes are cast in favor of the city charter, said clerk shall certify the fact to the secretary of state, together with the resu

census taken under the authority of the trustees, if any such has been taken, and thereupon a patent shall be issued as provided in section 5 of this act which shall specify the number and boundaries of the wards of such city.

In regard to the regulation of sewers.

SECTION 2. Subdivision twenty-eight of section 52, of chapter 326, of the general laws of 1889, is hereby amended so as to read as follows: Twenty-eight. To prescribe and regulate the construction of sewers within the city and to acquire by gift, grant, purchase or condemnation lands for such purposes, or to be used in connection therewith, either within or without the city limits.

In regard to the selection of a president of the council, his duties.

SECTION 3. Section 40, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in the first line of said section 40 and inserting after the word "third" in said line one the words "and fourth," so that said section 40, when so amended, shall read as follows: Section 40. In cities of the second, third and fourth classes the common council at its first meeting after organization in each year, shall choose from its number a president, and in the absence of the mayor the said president shall preside at all the meetings of such common council; and during the absence or inability of the mayor to discharge the duties of his office the president shall exercise all the power and discharge all the duties of the mayor. The president, while presiding at meetings of the common council or performing the duties of the mayor, shall be styled "acting mayor;" and any act performed by him in such capacity, shall have the same force and effect as if performed by the mayor; but the president of the common council, as acting mayor, shall have no authority to sign or approve any ordinance, rule, regulation, claim, resolution, warrant or other proceeding whatever which the mayor has refused to sign and communicated such refusal to the common council.

Section of general charter law in regard to city courts of justice amended.

SECTION 4. Section 61, of chapter 326, of the general laws of 1889, is hereby amended by striking out the words, "or wherein justices of

the peace shall have such jurisdiction," in lines six and seven of said section 61, and also by striking out the words "or justices of the peace," in lines 8 and 9 of said section 61; also by striking out the words "or such jurisdiction of such justices" in lines 10 and 11 of said section 61, and by inserting after the word "court" in line 8, of said section 61, the word "or," so that said section when so amended shall read as follows: Section 61. In every city which shall adopt this act for its government, and which shall at the time of such adoption have a court or judge, by what name or title soever such court or judge shall be called, having the jurisdiction herein conferred upon police courts, the jurisdiction and procedure of such court or judge shall continue unaffected by this act until such court, or the office of such judge shall be abolished by law, and in the meantime no police justice shall be elected and no police court established in such city, under this chapter. In every other city governed by this act a police justice shall be elected every fourth year the same as other city officers are elected, whose term of office shall commence the first day of May succeeding his election and who shall hold his office for the term of four years, and until his successor shall have been elected and qualified; provided, that in cities of the fourth class the common council may by an ordinance abolish the police court therein, and thereupon while such ordinance remains in force the jurisdiction herein conferred upon such police court shall be exercised by the municipal court or courts of the city or county, located in such city, if there be any such, and if there be none, then by the justices of the peace of the city.

Salary of police justice, and clerk.

SECTION 5. Section 62, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in the third line of said section 62, and by inserting after the word "third" in the same line, the words "and fourth," so that said section 62, when so amended, shall read as follows: Section 62. In cities of the first class, the common council

shall fix the salary of the police justice. In cities of the second, third and fourth classes the common council may, at its option, fix a salary for the police justice which shall be in lieu of all fees and costs. In every city of the first class the police justice may appoint a clerk, who shall keep the docket, records and papers of the court, and shall be paid such salary as the common council may from time to time allow; but no change in the salary of the clerk shall take effect during the term of office of the judge in which it was made.

Duties of the police court defined.

SECTION 6. Section 65, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in line twelve, of said section 65, and inserting after the word "third" in the same line, the words "and fourth," so that said section 65, when so amended, shall read as follows: Section 65. In cities of the first class the police court shall have jurisdiction to try and sentence all offenders against the ordinances of the city. The police court shall also have jurisdiction to try all misdemeanors triable before a justice of the peace and to issue warrants for the apprehension of persons charged with the commission of offenses not triable before a justice of the peace, and to examine such alleged offenders, and to commit or hold them to bail, the same as a justice of the peace of the city might do but for this chapter. In cities of the second, third and fourth classes, the police court shall have the civil and criminal jurisdiction of a justice of the peace, within the limits of such city, and exclusive jurisdiction of offenses against the ordinances of the city.

When a jury trial is demanded by any accused person, duties of the judge.

SECTION 7. Section 70, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in line thirteen, of said section 70, and inserting after the word "third" in the same line the words "and fourth," so that said section 70, when so amended, shall read as follows: Section 70. In cities of the first class whenever any accused person shall demand a trial by jury in said court the judge

shall direct the officer in attendance or some other suitable person to prepare a list of twenty-four qualified jurors, and the prosecuting officer, or some person designated by the court for that purpose on one part and the accused or his counsel on the other, shall each strike off six names, the prosecution striking off the first name and the defense the second, and so on alternately, and the remaining twelve shall thereupon be summoned and shall serve as jurors in the case. In cities of the second, third and fourth classes, the jury shall be selected in the same manner as in justice courts in criminal cases. The venire may be in the following form:

Form of venire.

State of Wisconsin,
City of ———.

In the police court of said city.

The state of Wisconsin to (here insert the names of jurors).

You are hereby summoned and required to attend said court forthwith to serve as jurors therein in an action there pending, wherein the —— is plaintiff and C. D. defendant. Hereof fail not at your peril.

Dated —— ——.

E. F.,
Judge (or clerk).

Summoning talesmen.

If any juror or jurors named in the venire shall not be found, or shall be unable to serve, a talesman or talesmen shall be called, and if qualified shall take the place on the jury of such juror or jurors not found or unable to serve; provided, that either party shall have a right to challenge such talesman for cause, and at least two talesmen peremptorily.

Taxing of costs.

SECTION 8. Section 71, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in line three of said section 71, and by inserting after the word "third" in line four of said section 71, the words "and fourth," so that said section 71, when so amended, shall read as follows: Sec-

tion 71. The costs taxable in the police courts shall be the same as in justice courts for similar services, and in cities of the second, third and fourth classes such costs shall be paid to the judge and the officers earning them respectively, unless such judge or officer shall be paid a salary, in which case such costs shall be paid into the city treasury.

Selection of the president of the board of public works.

SECTION 9. Section 79, of chapter 326, of the general laws of 1889, is hereby amended by striking out the word "and" in line five, of said section 79, and by inserting after the word "third" in the same line the words "and fourth," so that said section 79, when so amended, shall read as follows: Section 79. The members of the board of public works shall, on the first Tuesday in May of each year, choose a president of the board from their number; and in cities of the first class a secretary; in cities of the second, third and fourth classes the city clerk shall be the secretary of the board by virtue of his office.

SECTION 10. Section 69, of chapter 326, of the general laws of 1889, is hereby amended by striking out all of said section after the form of warrant in said section, and inserting in lieu thereof the following:

Form of execution.

EXECUTION.

State of Wisconsin, City of —— ss.

In the police court of said city.

The state of Wisconsin to the chief of police or any police officer of the said city or to the sheriff or any constable of the county of —— and to the keeper of the common jail of said county, Greeting:

Whereas, The said city of —— on the —— day of ——, A. D. 18——, recovered a judgment in the court above named against —— for the sum of —— dollars and —— cents, and for the costs of suit amounting to the sum of —— dollars and —— cents, for the violation of (here insert the number, title and date of the ordinance, or the chapter and section of the gen-

eral ordinance) in that he did on the —— day of ——, 18——, at the said city (insert the act complained of). You are hereby commanded to levy distress of the goods and chattels of said —— excepting such as the law exempts and make sale thereof according to law, to the amount of said sums together with your fees and twenty-five cents for this writ, and the same return to me in thirty days, and for want of such goods and chattels whereon to levy, to take the body of said —— —— and him convey and deliver to the keeper of the common jail in —— county, and the said keeper is hereby commanded to receive, keep in custody in said jail the said —— —— for the term of—— unless the said judgment, together with all the costs and fees are sooner paid or he is discharged by due course of law.

Given under my hand this —— day of ——, 18—.

Judge (clerk or police justice).

Form of the commitment.

The form of the commitment shall be substantially the same as that of the execution, omitting all that relates to the levy and sale and return of writ.

Construction of a system of sewerage.

SECTION 11. Section 208, of chapter 326, of the general laws of 1889, is hereby amended so as to read as follows: Section 208. All cities shall have full power to construct systems of sewerage (and to provide for the payment for sewers by the city, by sewerage districts, or by abutting property owners), but no city shall enter upon such construction until it shall have been divided into sewerage districts and a plan shall have been adopted in the manner hereinafter specified; provided, that it shall not be necessary before any part of the system is constructed that the plan shall be determined upon in all its details, but it shall be settled so far as relates to that portion of the system upon which the construction is commenced; and provided further, that this shall not apply to cities that have been heretofore divided into sewerage districts and adopted a system of sewerage.

The cost of sewers—how paid.

SECTION 12. Section 218, of chapter 326, of the general laws of 1889, as amended by section

59, of chapter 312, of the general laws of 1893, is hereby amended so as to read as follows: Section 218. The cost of all sewers in street and alley crossings, and of all sewers in excess of two dollars per linear foot chargeable to lots and lands, as provided in section 216, of this chapter, of all catch-basins for receiving the water from the gutters, and of the over-flow pipes connecting them with the sewers of all temporary catch-basins and of repairing and cleansing of sewers and all expenditures for temporary work necessary to carry on the system of sewerage herein provided, and all costs for constructing sewers not provided for by special assessment, shall be paid out of the fund of the proper sewerage district, and all cleaning and repairing of sewers and catch-basins and all temporary work necessary to be done as above stated shall be done by the authority of the board of public works, as may be necessary, or by the officer or officers discharging the duties of such board. The cost of constructing the main sewers within the city limits or extending beyond the same may be paid for in whole or in part by the city out of the general fund or out of the funds of the proper sewerage district, or by abutting property owners as the common council shall, by ordinance, direct.

Term of all officers, one year, except justices of the peace.

SECTION 13. Section 26, of chapter 326, of the general laws of 1889, as amended by section 14, of chapter 312, of the laws of 1893, is hereby amended so as to read as follows: Section 26. All officers, except justices of the peace shall hold their offices respectively for the term of one year and until their successors are elected or appointed and qualified, unless the common council shall, by ordinance, provide a longer term for said officers, or any of them, or unless a different term of office is expressly provided in this act, justices of the peace shall hold their offices for the term of two years, and until their successors are elected, or appointed, and qualified.

Time of holding annual election.

SECTION 14. Section 24, of chapter 326, of the general laws of 1889, as amended by section

12, of chapter 312, of the general laws of 1893, is hereby amended by adding after the word "designate" at the end of the first sentence in said section the words "provided, that in cities of the fourth class the common council by ordinance duly adopted by a three-fourths vote may fix as the time of holding the annual municipal election the first Tuesday in March."

Annexing territory—validity of proceedings.

SECTION 15. Section 21, of chapter 326, of the general laws of 1889, is hereby amended to read as follows: Section 21. The adoption of said ordinance shall operate to annex such territory to said city and of the ward or wards designated therein, ninety days after the same is passed and published. The validity of the proceedings annexing such territory shall not be called in question collaterally in any of the courts of this state; nor shall the validity of any such proceeding be called in question in any other manner in the courts of this state, unless the action or proceeding therefor be commenced within ninety days after such ordinance is adopted. The sufficiency of all pending proceedings wherein the full time of ninety days has not elapsed, shall be determined by the provisions of this enactment except in cases where some action or proceeding has been commenced in court.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 301, A.] [Published May 1, 1895.

CHAPTER 317.

AN ACT to amend section 669, of the revised statutes relating to the power of the county board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Two-thirds vote of members required to bond county of 200,000 people.

SECTION 1. Section 669, of the revised statutes is hereby amended by adding thereto a subsection to be numbered and to read as follows: Sub-section 12. In counties having two hundred thousand inhabitants or more according to the last census, to borrow money in any year on or after the first day of July thereof, to pay current expenses of the county, in any sum not exceeding twenty per centum of the amount of the last tax levy for county purposes in any such county, to be repaid with interest not to exceed five per centum per annum on or before the fifteenth day of February then next succeeding, and issue county orders therefor; provided, however, no such sum or sums of money shall be borrowed by any county board under the provisions of this act except it be on the affirmative vote of at least two-thirds of the members thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 60, A.] [Published May 1, 1895.

CHAPTER 318.

AN ACT providing for the taking of testimony on inquests of the dead, and the payment of fees for the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Any justice of the peace or coroner, authorized by law to take and hold inquests of the dead, may, whenever he deems it necessary and proper, employ a competent stenographer to take and transcribe the testimony of all witnesses examined at any inquest held by him.

Justice of peace may employ stenographer when holding inquests of the death.

SECTION 2. Such stenographer shall receive for his services at the rate of ten cents per folio for all testimony taken and transcribed by him, to be audited by the county board and paid out of the county treasury of the proper county.

Pay ten cents per folio.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 416, A.] [Published April 30, 1895.

CHAPTER 319.

AN ACT to amend section 1, of chapter 274, of the laws of 1893, entitled, "An act to authorize incorporated villages to issue corporate bonds for the purpose of making public improvements."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Village may issue twenty-year bonds.

SECTION 1. Section 1, of chapter 274, of the laws of 1893, is hereby amended by striking out the words "and having a population of at least five hundred, according to the last census," where the same occur in the third, fourth and fifth lines, so as to read as follows: Section 1. Any village incorporated or organized, or hereafter incorporated or organized, under the laws of this state, is hereby authorized to issue village or corporate bonds, payable within twenty years from their issue, bearing interest annually or semi-annually at a rate not exceeding five per cent. per annum, to raise money by the sale of such bonds for making public improvements in such village, and for any purposes for which villages are now authorized to expend money, under the laws of this state; provided, however, that no such bonds shall issue unless the conditions of the following sections are complied with.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 6, A.] [Published April 30, 1895.

CHAPTER 320.

AN ACT to amend chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes, and providing for their incorporation and government," as amended by chapter 312, of the general laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amendment of the special charter of cities in regard to adopting new ordinances.

SECTION 1. Section 267, of chapter 326, laws of 1889, as amended by section 72, of chapter 312, laws of 1893, is hereby amended so as to read as follows: Section 267. Any city now organized under a special charter, may adopt the provisions of any special chapter, section or subdivision of any section of this act, and may exercise any power or franchise hereby conferred upon cities organized under this act, in addition to, or in lieu of the provisions of its special charter, and the powers and franchises therein specified by an ordinance adopted for that purpose, by a three-fourths vote of all the members of the common council elect, and when adopted as herein prescribed, such ordinance shall operate to that extent as an amendment of such special charter. Such ordinance may declare such city to be of a certain class, naming it, according to the provisions of section 1, of this act, such class to be determined by the last national or state census, and any city now organized under a special charter may likewise, by such ordinance, adopt the provisions of this act, or any part thereof, relating to cities of such class, and may adopt any part of the section or sections of this act relating to the officers of such city, and may add thereto and include therein any officer provided by such special charter. Such ordinance may provide for and change the number and boundaries of the wards of such city according to the popu-

lation in the manner provided in section 14, of this act. No such ordinance shall be introduced, except at a regular meeting of the common council, and no action shall be taken thereon before the next regular meeting of the common council, and before action shall be taken thereon, it shall be published at least once in each week for three successive weeks in the official city paper, if there be one, and if there be none, in some newspaper to be designated by the common council, together with a notice of the time said ordinance will be considered. No city, however, shall be deemed to have surrendered its special charter and organized under this act, until it shall have adopted all its provisions in full, as hereinbefore provided.

Provisions that apply to certain cities with territory in one or more counties.

SECTION 2. Chapter 326, laws of 1889, is hereby amended by adding thereto the following: Section 268a. In all cities organized under this act or which shall adopt any part thereof, whose territory shall lie in more than one county, the following provisions shall apply, when adopted by the common council of any such city in the manner prescribed in and by section 267, of chapter 326, of the laws of 1889, as amended by section 72, of chapter 312, of the laws of 1893:

Duties and functions of the justice of the peace and police justice.

1. All justices of the peace and police justices shall before entering upon the duties of their offices, take and subscribe to as many oaths of office, and shall execute as many official bonds, as there are counties within said city, which bonds shall have two or more sufficient sureties, to be approved by the mayor, which shall be in the manner and form provided by statute, the approval of the sureties shall be endorsed upon such bonds, and the said justices of the peace and police justices shall cause one of such bonds, together with their oath of office, to be filed in the office of the clerk of the circuit court of each of said counties, and a copy of said bond, duly certified by either of said clerks, shall be prima facie evidence of the contents and execution thereof. Each of said justices of the peace

and police justices shall have jurisdiction both civil and criminal, co-extensive with the limits of each of the counties in which said city or any part of it is situated, and may issue process and may do all things in either of said counties that any justice of the peace of such county may lawfully do. Each of said justices of the peace and police justices shall keep and hold his office within the corporate limits of said city, irrespective of the ward in which he shall reside; provided, that in case of appeal or certiorari in civil cases, the papers shall in all cases be transmitted to the circuit court, unless there be a county court having civil jurisdiction and then to the county court of the county in which such action was tried; and, provided further, that in case of an appeal in criminal cases, or in examinations, and in which the justice has not final jurisdiction, shall be transmitted to the circuit court of the county in which the offense is charged to have been committed; and all commitments in criminal cases shall be made to the common jail of such county, except commitments for violations of a city ordinance; and, provided further, in all cases, if a cause shall be removed from the justice before whom the same was commenced, for prejudice or other cause, the papers shall be transmitted to the nearest justice in said city, if he be competent to try the cause, but if there shall be no such justice, or if they be absent or sick, in such case the papers shall in civil cases be transmitted to the nearest justice of the peace of the county in which the defendants or either of them was served with process, and in criminal cases the papers shall be transmitted to the nearest justice of the peace of the county in which the offense was charged to have been committed, and such nearest justice is hereby authorized to hear, try and determine the same in the manner provided by law. And the said justices of the peace and police justices shall perform the same duties and shall receive the same fees, and be liable to the same penalties as other justices of the peace in this state. And, provided

further, that in all cases when execution shall be issued by either of said justices of the peace or police justices, in actions for tort, and the defendant shall be imprisoned thereon, he shall be committed to and imprisoned in the common jail of the county in which the cause of action shall have arisen.

In regard to the adjournment of a criminal case.

2. In all cases of the adjournment of any criminal case or examination or of a case brought for the violation or non-observance of an ordinance, in default of giving the recognizance provided by law, the accused may be put in charge of an officer or committed to the police station or lockup of said city, or to the common jail of the county in which the offense is charged to have been committed. All commitments or executions upon judgments for violations of ordinances shall be directed to the keeper of the common jail of the county in which the ward is situated where the action shall have been tried for which such execution or commitment is issued, and such keeper is hereby required to receive and keep in custody all such persons so committed until such person be discharged by due course of law or by payment of the penalty and costs, including all subsequent costs and expenses made thereon together with the board bill at such jail. And for all such purposes said city shall have the use of the county jails of the counties in which said city or any part of it is situated, for the imprisonment of all persons liable to be imprisoned; and all persons committed to either of said jails shall be under the charge of the sheriff of the county to which he may be sent.

Summoning a jury.

3. In all actions triable by jury, brought before either of said justices of the peace or police justices, when a jury shall have been duly demanded, the proper officer shall make a list of eighteen jurors, who shall be qualified to serve as jurors in courts of record in either of said counties in which said city or any part of it is situated, and the jury shall be struck and summoned as is provided by law; and, provided further, that talesmen, if any be needed, may be summoned from either of said counties.

4. The chief of police, policemen, city marshal and his deputies shall possess all the powers and enjoy all the rights of a constable in either of the counties in which said city or any part of it is situated, and shall be subject to the same liabilities; he shall have power to serve and return summons, attachments, replevins, executions, warrants, commitments and all other writs issued by any justice of the peace in either of said counties, and his return, properly certified thereon, shall be evidence of the service thereof. And any process issued by any justice of the peace of either of said counties, directed to the sheriff or any constable of such county, may be served by said chief of police, policemen, city marshal or his deputies; and any such process properly served and returned by him under such directions shall be valid. Peace officers—service of process.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 642, A.] [Published April 30, 1895.

CHAPTER 321.

AN ACT to authorize counties containing over one hundred thousand inhabitants to acquire by gift, purchase or condemnation toll roads situated therein, and to issue bonds for that purpose.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The county board of supervisors of any county containing over one hundred thousand inhabitants, by an affirmative vote of a majority of its qualified members, at any regu- How a toll road may be obtained for use as a common public highway.

lar meeting, may acquire by gift, purchase or condemnation, as hereinafter provided, the whole, or any part of any toll road, situated within the limits of said county, whenever in their judgment they deem it necessary for the purpose of a common public highway.

County board to ascertain the terms upon which a toll road can be obtained.

SECTION 2. It shall be the duty of the board of supervisors of such county, containing over one hundred thousand inhabitants, immediately upon the passage of a resolution to acquire the whole or part of any toll road situated within its limits to ascertain if the same, or any part thereof, can be acquired from the owners thereof by dedication without compensation, and it is made the further duty of said board of supervisors also to enter into negotiations with the several owners of such toll road necessary to be acquired, for the purchase of the whole or part of such toll road, which cannot be acquired by gift. And the said board of supervisors and the proper county officers shall provide for the amount of money necessary for such purpose, and which shall be agreed upon by the said board of supervisors out of the funds hereinafter provided. And in the event that said board of supervisors cannot acquire such toll road by gift or purchase then said board of supervisors shall proceed to acquire such parts of said toll road by condemnation, which has not been acquired by gift or purchase, and shall proceed in that behalf as hereinafter provided.

Commissioners to be appointed to determine value of the toll road.

SECTION 3. For the purpose of acquiring such toll road not acquired by gift or purchase, the district attorney of such county shall file a petition in the circuit court of said county praying for the appointment of three commissioners, to determine the value of the whole or such part of such toll road not acquired by gift or purchase, and setting forth the names of the owners of such toll road and their address and residence. An order of hearing said petition shall thereupon be forthwith made by said circuit court, setting a date for the hearing of such petition at such time as said court may determine, but not

less than thirty nor more than ninety days from the time of such filing, which petition and order shall be served upon such owners of such toll road in the same manner as a summons in a civil action. Upon the hearing of said petition the said court shall thereupon appoint three competent and disinterested free-holders to be commissioners.

Persons appointed to take oath and to give notice of hearing, appraise the value and assess damages.

SECTION 4. Thereupon such persons so appointed shall take an oath faithfully and impartially to discharge their duties as such commissioners, and afterwards upon due notice to said parties shall publicly receive and hear their allegations, evidence and arguments, view and examine said whole or part of said road, to be acquired, appraised and determine the value of the same, and the damages sustained by the person, persons or company owning the same by reason of the taking thereof, fix and award the amount of compensation for said whole or part of said road, and the damages to be paid to said person, persons or company. And said commissioners before the expiration of sixty days after their appointment, shall also make, sign and file in the office of the clerk of the circuit court which appointed them, a report of their proceedings, setting forth a description of said whole or part of said road, determined to be taken and their award. Thereupon the clerk of said court shall record the report and award of said commissioners in the judgment book of said court. A majority of said commissioners, all being present, may determine all matters before them. Their compensation shall be fixed by the court and shall be paid equally by both parties.

How appeal can be made.

SECTION 5. Within thirty days after the filing of the report of said commissioners in the office of the clerk of said circuit court, either party may appeal from the award of said commissioners to said circuit court by filing in the office of said clerk a written notice of appeal and serving the same upon the other party. Thereupon said appeal shall be an action pending in said court, and shall be entered upon the records of said court as an action wherein said per-

son, persons or company owning said whole or part of said road determined to be acquired shall be plaintiff, and said county in which said whole or part of said road shall lie shall be defendant. Such action shall be tried by jury unless trial by jury be waived by both parties, and shall be subject to change of place of trial and to appeal to the supreme court, like other actions. Costs shall be allowed to the successful party upon appeal. If in favor of the plaintiff, they shall be added to the amount of the verdict, but if in favor of the defendant, they shall be deducted therefrom.

Costs to be allowed to successful party.

Payment to be made within two years after filing report.

SECTION 6. Within two years after the filing of the report of said commissioners, said county, within which said whole or part of said road determined to be acquired shall lie shall pay to the person, persons or company owning said whole or part of said road, or to the clerk of said circuit court, which appointed said commissioners for the use of said person, persons or company the amount of compensation awarded by said commissioners; and after making such payment, said county may enter upon, take and use said whole or part of said road for the purpose of a common public highway; and upon twenty-four hours' notice, may move said court or a judge thereof to issue a writ of assistance to put such county into possession of said whole or part of said road.

Money paid pending an appeal may be received without prejudice.

SECTION 7. Whenever any county, in which said whole or part of said road determined to be acquired shall lie, shall be in possession or be put into possession of said whole or part of said road, pending an appeal from the award of said commissioners, the person, persons or company entitled to receive the money or any part of the money paid into court on account of the award appealed from, may receive such money without prejudice to such appeal. The amount of such award or in case of an appeal, then the amount of the final judgment rendered on such appeal, shall be collected as judgments against counties are collected, under section 661, of the annotated statutes of Wisconsin.

SECTION 8. When no appeal shall have been taken from the award of said commissioners within thirty days from the filing thereof, and said county, in which the said whole or part of said road determined to be acquired shall lie, shall have paid the amount of said award into court, or shall have filed in the office of the clerk of said court a receipt for the amount of said award executed by the person, persons or company owning said whole or part of said road and acknowledged before an officer authorized to take acknowledgments of deeds, or when, after the determination of an appeal from said award, said county shall have paid into court the amount of the judgment rendered thereon, or shall have filed a receipt for said amount executed and acknowledged as aforesaid, the clerk of said court shall make a minute of such payment or of the filing of such receipt at the foot of the record of the report of said commissioners in the judgment book of said court; and thereupon title to said whole or part of said road determined to be acquired shall vest in said county, its successors and assigns, for the purpose of a common public highway, without any further or other act, deed or conveyance, and said record or a certified copy thereof, shall be presumptive evidence of such title in all courts and places.

Title to vest in the county within thirty days after filing of the award if no appeal be taken.

SECTION 9. The board of supervisors of such county containing more than one hundred thousand inhabitants is hereby authorized to issue for the purpose of this act, the bonds of such county, in an amount not exceeding fifty thousand dollars, to be issued as follows, to-wit: Twenty-five thousand dollars after July 1st, 1895, and twenty-five thousand dollars after July 1st, 1896. The proceeds of such bonds shall be applied for the payment of all damages that may be allowed to the owners of such toll roads or property which shall be purchased or condemned for the uses and purposes in this act provided. And such bonds shall be payable at such times and be of such form as the said board of supervisors shall, by resolution deter-

$50,000 in bonds may be issued to pay for toll roads.

mine, and shall bear interest not exceeding five per cent. per annum. The said board of supervisors may also levy such taxes upon all taxable property in said county, as may be necessary from time to time to pay for and redeem such bonds.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 31, A.] [Published May 1, 1895.

CHAPTER 322.

AN ACT to amend section 27, chapter 288, laws of 1893, entitled "An act to consolidate and revise the statutes of the state relating to general elections, the canvass and returns of the same, and to secure the secrecy and purity of the ballot, and for other purposes."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Form of election notice.

SECTION 1. That section 27, chapter 288, laws of 1893, be hereby amended so as to read as follows: Section 27. In making an official publication of an election notice the county or city clerk, as the case may be, shall precede the same with a statement which shall be substantially in the following form (to be modified or varied according to the nature of the election), the caption to which shall be conspicuously displayed:

ELECTION NOTICE.

Office of ——Clerk.
——, 18—.

To the electors of —— county (or city).

Notice is hereby given that a general election (or "judicial," or "municipal," or "school," or "special," or "judicial and municipal" election, as the case may be) is to be held in the several towns, wards and election precincts in the county (or city) of —— on the —day of ——, 18—, at which the officers named below are to be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to this office are given under the title of the office and under the appropriate party or other designation, each in its proper column, and the question submitted to a vote are stated below:

Information to Voters.

Instructions and information to voters.

The following instructions are given for the information and guidance of voters: A voter upon entering the polling place, and giving his name and residence, will receive a ballot from the ballot clerk, which must have endorsed thereon the names or initials of both ballot clerks, and no other can be used. Upon receiving his ballot, voter must retire, alone, to a booth or compartment, and prepare the same for voting. A ballot clerk may inform the voter as to the proper manner of marking a ballot, but he must not advise or indicate in any manner whom to vote for. (If it be a general election these words are to follow: The voter, if he wishes to vote for all the candiates nominated by any party, should make a cross mark, X, under the party designation printed at the top of the ballot in the square made for that purpose. A ballot so marked and having no other mark, will be counted for all of the candidates of that party in the column underneath, unless the names of some of the candidates of the party have been erased, and will be counted

for all names written in lieu of one erased or pasted over a printed name. If the voter wishes to vote for some of the candidates of different political parties, he should make a cross mark, X, after the name of each candidate he does desire to vote for. Or if it be a judicial, municipal, or school election, these words are to be employed: The voter must make a cross, X, after the name of each person he desires to vote for.) If he wishes to vote for a person for a certain office, whose name is not on the ballot, he must write the name in the blank space under the printed name of the candidate for the office. The ballot should not be marked in any other manner. If the ballot be spoiled, it must be returned to the ballot clerk, who must issue another in its stead, but not more than three in all to any one voter. Five minutes time is allowed in booth to mark ballot. Unofficial ballots or memorandum, to assist the voter in marking his ballot, can be taken into the booth, and may be used to copy from. The ballot must not be shown so that any person can see how it has been marked by the voter. After it is marked, it should be folded so that the inside cannot be seen, but so that the printed indorsements and signatures of the ballot clerks on outside may be seen. Then the voter should pass out of the booth, give his name to the inspector in charge of the ballot box, hand him his ballot to be placed in the box, and pass out of the voting place. A voter who declares to the presiding officer that he is unable to read, or that by reason of physical disability he is unable to mark his ballot, can have assistance of one or two election officers in marking the same, to be chosen by the voter. The presiding officer may administer an oath, in his discretion, as to such person's disability. The party designations and candidates for the different offices are as follows: (Insert list of party designations and candidates.)

——— ———,
County Clerk.

No other publication of election notice, necessary.

No other or further publication of an election notice shall be required to be made by any county or city clerk, except that in cities the clerk shall, at the foot of this notice, specify the place of voting in each election precinct and the hours of opening and closing the polls. The compensation for making such publications shall be one dollar per square for a weekly newspaper, and unless otherwise agreed to, two dollars per square to each daily newspaper, which shall cover all the insertions in such paper.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 705, A.] [Published May 1, 1895.

CHAPTER 323.

AN ACT relating to actions against joint stock companies organized without this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Foreign joint stock companies may be sued in this state by leaving copy of summons with its authorized officer or agent.

SECTION 1. Any joint stock company or association organized under the laws of any other state, and doing business in this state, may be sued and the action against the same prosecuted to judgment, in the courts of this state, and the collection of any judgment which may be rendered against the same may be enforced in the name under which such company or association does business in this state; and service upon the defendant in any such action may be made by leaving a copy of the summons therein with any officer, or agent of such company, within this state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 369, A.] [Published May 4, 1895.

CHAPTER 324.

AN ACT amending section 14, of chapter 33, laws of 1893, entitled, "An act to create and establish a superior court in and for Douglas county, Wisconsin."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Salary raised.

SECTION 1. Section 14, of chapter 33, of the laws of 1893, is hereby amended by striking out the words "twelve hundred dollars," in the eighteenth line of said section, and inserting in lieu thereof the words, "fifteen hundred dollars," so that said section 14, when so amended, shall read as follows: Section 14. The judge of said superior court may appoint a phonographic reporter, skilled in the art of shorthand reporting, for said superior court, and may remove such reporter at pleasure and appoint another in his place. Every person so appointed phonographic reporter shall be deemed an officer of said court, and before entering upon his duties shall take and subscribe the constitutional oath, and file the same duly certified in the office of the clerk of said court, and such reporter shall give a bond running to Douglas county, in the sum of five thousand dollars, with one or more sufficient sureties, to be approved by the judge of said court appointing him, for the proper performance of the duties of his said office. Such phonographic re-

Phonographic reporter may be appointed.

porter shall receive as compensation the sum of fifteen hundred dollars per year, to be paid in equal monthly installments out of the treasury of said Douglas county. Such reporter shall, upon the request of a party to an action or proceeding in said court, transcribe in long hand the evidence or any other proceedings taken by him in such action or proceedings, or any part thereof, so requested, duly certified by him to be a correct transcript thereof, for which he shall be entitled to receive from the party requesting the same, five cents per folio; and for each additional copy thereof two cents per folio, when written out in full, and when at the request of the party, it shall be written in narrative form, ten cents per folio.

Salary of reporter.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 717, A.] [Published May 1, 1895.

CHAPTER 325.

AN ACT to amend subdivision 1, of section 1915, of the revised statutes, relating to insurance corporations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Subdivision 1, of section 1915, of the revised statutes is hereby amended to read as follows: Subdivision 1. It shall be possessed of, if a stock corporation, an actual paid up, in cash, capital of at least one hundred thousand dollars; but mutual corporations of other states, having the same standard of solvency as required of mutual companies of this state may be admitted, in case the state where such

Commissioner of insurance to make personal examination of condition of certain companies.

corporations are located admit the mutual corporations of this state. Lloyds, individual underwriters, and fire associations, other than stock or mutual corporations, may be admitted by complying in all respects with the laws applicable to fire insurance corporations organized under the laws of any foreign government. The commissioner of insurance before issuing a license for the admission of any corporation or association shall make a personal examination of the affairs and financial condition of such corporation or association and if found to meet the conditions and requirements of the law shall issue such certificate of admission.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 358, A.] [Published May 4, 1895.

CHAPTER 326.

AN ACT to amend and enlarge the charter of Nashotah House, created by an act of the territorial legislature, approved Februray 4th, 1847.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Nashotah House cemetery association legalized.

SECTION 1. The charter of Nashotah House, created by an act of the territory of Wisconsin and entitled, "An act to incorporate Nashotah House," approved February 4th, 1847, is hereby amended and enlarged as follows: The trustees of Nashotah House and their successors shall hereafter have, possess and exercise all the powers and shall be subject to all the duties of cemetery associations as granted, and as provided

in the following enactments of the legislature of this state, viz.: In section 1447 of the revised statutes as amended by chapter 42, laws of 1882; chapter 165, laws of 1885, and chapter 167, laws of 1889; in sections 1 and 3, chapter 388, laws of 1887; in sections 1448 and 1449 of the revised statutes; in sections 1, 2 and 3, of chapter 115, laws of 1887; and in section 1453 of the revised statutes; in sections 1, 2 and 3, chapter 315, laws of 1887; in section 1455, revised statutes, as amended by chapter 216, laws of 1887; in section 1263, revised statutes, and section 1038, as amended by sections 2000 and 3251 of the revised statutes, and in chapter 290, laws of 1883; provided, however, that any conveyance of a lot for a single grave may be by gift.

Location of the cemetery in Waukesha county.

SECTION 2. The tract of land situated in Waukesha county, Wisconsin, heretofore dedicated by Nashotah House as a burial ground, and now used as such, shall, with any future enlargement thereof, constitute the cemetery to be held and occupied by the trustees of Nashotah House under this act.

Map of the cemetery grounds to be made.

SECTION 3. On or before the first day of January, 1897, the trustees of Nashotah House shall cause to be made a survey of said tract of land so dedicated as aforesaid, and shall cause a chart or map to be made from such survey, on which chart or map shall be indicated the single grave without any right by deed or prescription or otherwise to the relatives of the deceased whose body has been interred in said grave to any land for other burials; and also the grounds held by deed, prescription or otherwise for burial purposes, giving the metes and bounds of such grounds and stating to whom they have been dedicated.

Chart or map to be filed in the register of deeds office.

SECTION 4. Such survey and such chart or map shall be filed in the office of the register of deeds of Waukesha county on or before the first day of January, 1897. At the same time there shall be so filed by the trustees of Nashotah House a declaration showing the terms, conditions or prescription by which each single grave and each burial lot or ground is held.

All rights to burial lots shall be deemed to be determined by the terms of declaration.

SECTION 5. All rights of burial and all rights to burial lots acquired in said tract of land so dedicated as aforesaid, on or before the filing of said declaration, shall be deemed to be defined and determined by the terms of said declaration as modified by this act, unless any claimant shall, in an action commenced in a court of this state of competent jurisdiction, within five years thereafter, have his rights otherwise adjudicated.

Intent and object of this act.

SECTION 6. The intent and object of this act is to authorize and empower the trustees of Nashotah House to hold the said tract of land dedicated as aforesaid, and any enlargement of the same, for cemetery purposes, under and pursuant to the provisions of the enactments and statutes of this state hereinbefore mentioned and referred to, and of this act for a burial place for persons connected with Nashotah House as trustees, faculty, students and alumni, or as friends and benefactors, and for the families and descendants of such friends and benefactors; subject, however, to the sole and exclusive discretion and direction of said trustees acting in their corporate capacity as to the persons to whom rights of interment and to family burial lots shall be given or granted.

Rights of future interment determined by the provisions of this act.

SECTION 7. All rights of future interment in family burial places acquired in said tract of land so dedicated as aforesaid before the first day of January, 1897, to be determined by the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 338, A.] [Published May 1, 1895.

CHAPTER 327.

AN ACT to regulate the loaning of money upon chattel security.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Regulating the per cent. of charges for chattel mortgage loans.

SECTION 1. Hereafter it shall be unlawful for any person, persons, company, partnership, corporation or combination, by themselves, their agents or attorneys, or in any manner whatsoever, to ask, demand, receive, take, accept or charge more than an amount equal to ten per cent. per annum of the amount of money actually loaned, for the forbearance, use of loan of any money secured by chattel mortgage, bill of sale, receipt or other evidence of debt, upon chattel goods or property; or to ask, demand, receive, take, accept or charge more than an amount equal to fourteen per cent. per annum of the amount so actually loaned and secured in full for all examinations, views, fees, appraisals, commissions, renewals and charges of any manner or description whatsoever in the procuring, making and transacting of any such loan, secured as aforesaid.

Penalty for violating the provisions of this law.

SECTION 2. Any person violating the provisions of this act shall be punished by a fine of not less than five nor more than fifty dollars.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 269, A.] [Published May 1, 1895.

CHAPTER 328.

AN ACT declaring meandered lakes public waters, and relating to the rights and privileges of all persons therein.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

All meandered lakes to be public waters.

SECTION 1. All lakes within this state, which have been meandered and returned as navigable by the surveyors employed by the government of the United States, or which have been so meandered and are navigable in fact, are hereby declared navigable and public waters, and all persons shall have the right and privilege to pass to and fro, and be, and remain, thereon, and to have and enjoy all other rights and privileges thereon, and thereto, to the same extent and with like effect as in, to, and over, and upon all other navigable or public waters within this state; provided, this act shall not affect pending litigation or interfere with any vested rights that have heretofore been acquired upon any such lakes or streams.

SECTION 2. All acts and parts of acts inconsistent or conflicting with this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 602, A.] [Published May 1, 1895.

CHAPTER 329.

AN ACT to authorize the formation of a mutual insurance company to insure against hail, tornadoes, cyclones and hurricanes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Formation of mutual insurance companies authorized.

SECTION 1. Any number of persons not less than one hundred, residing in this state, who shall collectively own real estate herein of not less than two hundred and fifty thousand dollars in value may associate themselves and become incorporated for the purpose of mutual insurance against loss or damage by hail, tornadoes, cyclones and hurricanes, by complying with the provisions of this act.

What articles of incorporation shall contain.

SECTION 2. They shall organize by adopting and signing articles of incorporation, which shall contain:

1. The name of the corporation, which shall not be the same as that previously assumed by any other corporation in the state.

2. The general nature of its business and the place of its principal office or headquarters.

3. The names and residence and the value of the real estate owned by the persons respectively so associated to form such corporation.

4. The time of commencement and the period of duration of such corporation.

5. The number, names and places of residence of the directors and of the president, secretary and treasurer of such corporation for the first year of its existence, and the time and place of the election of their successors.

How articles shall be acknowledged.

SECTION 3. Such articles shall be acknowledged by the persons signing the same in the manner by law provided for the acknowledgment of deeds, and shall be filed for record in the office of the commissioner of insurance.

Articles to be submitted to the attorney general before recording or any certificates are issued.

SECTION 4. The commissioner of insurance shall before recording such articles submit the same to the attorney-general, who shall examine said articles, and if he finds the same to have been executed in conformity to law, he shall endorse the word "approved" thereon and date, sign and return same to the commissioner of insurance, who shall thereupon record the same in the records in his office, and shall issue under his hand and official seal and deliver to the said corporation his certificate to the effect that such corporation has been duly incoporated under the provisions of this act, and is authorized to transact business from and after the date thereof. Such certificates shall be recorded in the office of the register of deeds of the county wherein such corporation shall have its principal office, and said certificate and records and any certified copy of such records shall be received in all the courts of this state as prima facie evidence that such corporation has been duly organized and created under the laws of the state of Wisconsin.

Corporation is formed after certificate is issued.

SECTION 5. Upon the issuance of such certificate the persons therein named shall be and become a corporation, and authorized to transact the business of mutual insurance against loss or damage to property by hail, tornadoes, cyclones or hurricanes, in such manner and upon such terms as in and by its by-laws may be provided. It shall have perpetual succession, sue and be sued, contract and be contracted with, implead and be impleaded by its corporate name in any of the courts of this state, and shall possess the usual powers and be subject to the usual duties of corporations.

Management of business of corporation shall be vested in nine directors.

SECTION 6. The general management of the business of said corporation shall be vested in nine directors, who shall be elected by ballot, each of whom shall during his term of office be a policy holder in such corporation, such directors to be divided into three classes, to be elected for one, two and three years respectively, and after the first year three of such directors shall be elected annually, and shall hold their office for three years, and until their successors are

elected and qualified. The directors shall choose from their number a president, secretary and treasurer, whose respective terms of office shall be one year, and whose bonds, duties and compensation shall be such as may be in the by-laws of the corporation provided.

Before commencing business they shall meet and adopt by-laws, etc.

SECTION 7. Such corporation before commencing its business shall prepare and adopt by-laws which shall describe the duties of its officers, the manner, place and time of electing them, the directors, the method and manner of transacting its business and such other rules and regulations as may be deemed essential for the government of the corporation and the management of its officers, not provided in this act. Such by-laws shall not be amended, changed, suspended or repealed except in the manner therein set forth, and a copy of the same and of any subsequent amendments thereto or changes therein shall be forthwith filed by the secretary, with a copy of all blanks, with the commissioner of insurance, who shall safely keep the same in his office.

Authorized to issue policies.

SECTION 8. Such corporation is authorized to issue policies of insurance signed by its president and secretary, agreeing to pay the person assured thereby, all losses and damages to the property insured which he may sustain by hail, tornadoes, cyclones and hurricanes, for a period of not more than five years, and not exceeding in amount the sum specified in such policy.

Every policyholder shall be a member of the corporation.

SECTION 9. Every holder of a policy of such insurance shall be a member of the corporation. He shall have the right to participate in the election of directors, and shall be eligible to election to any office in such corporation; he shall be liable to the corporation for his pro rata share of all losses and damages by hail, tornadoes, cyclones and hurricanes sustained by any other member, and also for his pro rata share of the expenses of the management of the business of such corporation, and shall give his undertaking bearing even date with his appllication for a policy of insurance to him, binding himself, his heirs and assigns, to pay

his said pro rata share of losses and expenses, and shall also be bound and subject to the by-laws thereof.

Corporation shall provide in its by laws how insurance shall be effected and conditions thereof.

SECTION 10. The corporation shall in its by-laws provide for the manner in which insurance shall be effected and the terms and conditions thereof, the time and manner in which losses sustained under its policies of insurance shall be determined, proved, adjusted and paid, the time and manner in which assessments shall be made upon its members for their respective pro rata share of such losses, and the time, manner and place in which, and the person to whom, such assessments shall be paid. It shall also in its by-laws provide such other regulations, terms and conditions as may be necessary for effectively and fully carrying out its method of insurance, and the said by-laws in force at the time of the date of any policy of insurance issued by the corporation shall have the force and effect of law in the determination of all questions and claims arising under such policy. Any member of such corporation may withdraw therefrom at any time, by giving notice in writing to the president, or in his absence to the secretary thereof, and paying his share of all claims then existing against said corporation.

Secretary to submit a detailed statement to the members annually.

SECTION 11. The secretary of the corporation shall prepare and submit to the members thereof at each annual meeting a detailed statement of the condition of such corporation, and its transactions for the preceding year, showing the number of policies issued, the amount insured thereby, the total number of policies in force, and the total amount of risks at the date of report, the number of assessments made, the amount actually paid in upon each assessment; the losses sustained, whether the same have been paid or adjusted or remain unpaid or unadjusted or are disputed; the number of members of the corporation, the number of new members received, the names and residences of members who have withdrawn or been suspended or expelled from the corporation, the policies which have been cancelled, an itemized

statement of the expenses of such corporation during the preceding year, and of the amount and condition of its funds and such other matters as may be of interest to the members. A copy of such annual statement shall within thirty days after such meeting be filed with the commissioner of insurance, who shall publish an abstract of such statement in his annual report.

Duration of corporation 30 years.

SECTION 12. No corporation formed under this act shall continue for a longer period than thirty years.

Cannot insure outside the state, and only detached property outside of a city or village.

SECTION 13. No corporation formed under this act shall insure any property outside the state of Wisconsin, nor any property other than detached dwellings and farm buildings and their contents and live stock while on the premises or running at large, and hay, grain and all other products while growing or while in the shock, stack, bin, crib, granary, or other buildings upon such premises; nor shall it insure any property whatever in any incorporated city or village.

All books, papers and files shall be open for inspection at all times.

SECTION 14. All books, papers and files of such corporation shall at all times be open to the examination of any member or his agent or attorney, or the commissioner of insurance, and any such member, agent or attorney shall at all times have the right to make such copies of such books, papers and files as he may wish to have, and the commissioner of insurance shall make an examination of each such corporation at least once in every three years.

Articles of association may be amended.

SECTION 15. The articles of association may be amended in any respect which might have been lawfully made a part of such original articles, at any annual meeting of the members of the corporation, upon a vote of two-thirds of the members present at such meeting.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 719, A.] [Published May 1, 1895.

CHAPTER 330.

AN ACT to amend section 931, of the revised statutes, as amended by chapter 173, of the laws of 1893, relating to the establishment of free libraries.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorizing the establishment of free libraries in cities of 50,000 people or less, also in villages and towns.

SECTION 1. Section 931, of the revised statutes of Wisconsin, as amended by chapter 173, of the laws of Wisconsin of 1893, is hereby amended so as to read as follows: Section 931. The common council of every city not exceeding in population fifty thousand inhabitants, and the village board, or board of trustees, of every village, and the town board of every town containing over two thousand inhabitants, shall have power to establish and maintain a public library and reading room, and for such purpose may annually levy, and cause to be collected as other general taxes are collected, a tax not exceeding one mill on each dollar of the taxable property of such city, town or village, or may set aside and appropriate a sum not to exceed ten per cent. of the money received in any year for license issued for vending or dealing in spirituous, vinous or fermented liquors, to constitute a library fund, which fund shall be kept by the treasurer, separate and apart from other money of the city, town or village, and be used exclusively for such purposes; provided, that no tax shall be levied without the same be first submitted to a vote, and be approved bv a majority of the votes cast at such election in such city, town or village on such question.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 328, A.] [Published May 1, 1895.

CHAPTER 331.

AN ACT to provide for a county teachers' institute fund.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Examination fee.

SECTION 1. Any applicant presenting himself for examination by any county superintendent of schools for a certificate entitling him to teach in the county superintendent's district shall, before such examination is entered upon, pay to the said county superintendent an examination fee of one dollar.

SECTION 2. Any person making application to any county superintendent for the issuance of a certificate based upon papers written in an examination held in another superintendent's district, under the provisions of section 450 of Sanborn and Berryman's annotated statutes, shall, before the issuance of such certificate, pay to the county superintendent to whom the application is made an examination fee of one dollar.

Fee for countersigning diploma of graduate of high school.

SECTION 3. Any graduate of a high school making application to any county superintendent for the countersigning of his certificate of graduation or diploma, under the provisions of section 452a, chapter 311, laws of 1885, shall, before such certificate of graduation or diploma shall be countersigned and delivered, pay to the county superintendent to whom the application is made an examination fee of one dollar.

Moneys to be used for institute fund.

SECTION 4. All moneys paid to the county superintendent under the provisions of this act shall constitute an institute fund, and shall be used under the direction of the county superintendent in defraying the necessary expenses, in whole or in part, of conducting one or more teachers' institutes annually for the instruction

of the teachers in his district in the theory and art of teaching and in the branches taught in the common schools; and in compensation for lectures at such institutes by others than the conductors and county superintendent.

County superintendent to make annual statement, what to contain.

SECTION 5. The county superintendent shall annually make and file with the county clerk of the county within which he resides a statement, verified by his affidavit, giving the names of all persons examined by him since the beginning of the term he is then serving or since the date of his last statement, together with the dates when such persons were examined. He shall also embody in the same statement the names of all persons to whom certificates have been issued upon papers written in another superintendent's district and the dates when such certificates were issued, and also the names of all persons, graduates of high schools, whose diplomas he has countersigned, together with the dates of countersigning. At the expiration of his term of office the county superintendent shall file with the county clerk a sworn statement similar to those hereinbefore provided for in this section, covering the time from the close of his last regular series of examinations to the close of his term, and he shall embody in such statement a summary, giving the number of persons in each of the three classes herein named, and of all the persons so reported by him to the county clerk during his term of office; the amount of fees received by him during his term of office, the amount paid out by him, and the amount remaining in his hands. And he shall pay over to his successor in office all moneys thus remaining in his hands at the expiration of his term of office.

To account for moneys collected.

SECTION 6. All moneys collected by the county superintendent, under the provisions of this act shall be paid out each year for the purposes specified in section 4 of this act, and for no other purposes. Each payment shall be entered in a book kept by the county superintendent for that purpose, which shall be open to public inspection, and be by him delivered to

his successor in office, and shall be accompanied by a statement of the name of the person to whom the payment is made, and the character of the service rendered, or material furnished. No money shall be paid for services rendered as an instructor in any institute unless the person rendering such service shall hold a certificate signed by the state superintendent certifying that the committee on institutes of the board of regents of normal schools approves of said person as a competent institute instructor. The said committee on teachers' institutes is hereby authorized and directed to prepare annually and transmit to each county superintendent in the state, a list of persons approved by the committee for service in the institutes herein provided for.

To give bonds.

SECTION 7. The county board shall require the county superintendent to give bonds with good and sufficient sureties for the proper performance of the duties prescribed by this act in an amount which shall not be less than twice the amount likely to be collected and disbursed by him annually, under this act.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 401, A.] [Published May 1, 1895.

CHAPTER 332.

AN ACT to amend section 251, of chapter 326, of the general laws of 1889, entitled, "An act dividing cities into classes and providing for their incorporation and government."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Not to repeal or modify certain acts relating to police and fire department, nor act limiting public debt.

SECTION 1. Section 251, of chapter 326, of the general laws of 1889, is hereby amended so as to read as follows: Section 251. The adoption of this act by any city shall not be deemed to repeal or modify chapter 350, of the laws of 1887, entitled, "An act to amend chapter 5, of the revised statutes of Wisconsin, in the year A. D. 1887, entitled, 'Of electors and general elections,'" and relating to elections in cities having a population of fifty thousand and over; nor chapter 378, of the laws of 1885, entitled, "An act in relation to the police force and fire department of the city of Milwaukee;" nor any act or part of an act limiting the amount of the public debt of any city or its proportion to the taxable property thereof; or the amount or rate of taxation in any city of the first class; but said acts and such provisions shall remain in force in the cities to which they relate and to which they are applicable, the same as if this act had not been passed or had not been adopted by such city or cities.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 564, A.] [Published May 1, 1895.

CHAPTER 333.

AN ACT to prescribe qualifications for the office of county superintendent of schools.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

County superintendent of schools, who eligible.

SECTION 1. No person shall be eligible to the office of county superintendent who shall not at the time of his election or appointment have taught in the public schools of the state for a period of eight months, and who shall not at the time of such election or appointment hold a certificate entitling him to teach in any public school in the state, or a certificate to be known as a county superintendent's certificate, and which shall be issued by the state superintendent after examination by, and upon the recommendation of the board of examiners for state certificates.

State board of examiners to examine applicants for county superintendent's certificate.

SECTION 2. The board of examiners for state certificate shall, at the time of holding the regular examinations for state certificates now provided for by law, examine all applicants for the county superintendent's certificate herein provided for, upon the branches upon which examination is now required for a first grade county certificate, and also upon school law, upon the organization and management of district schools, and upon the supervision of district schools.

Examinations to be held in July in three different points in state.

SECTION 3. The board of examiners for state certificates, shall, in addition to the examinations now provided for by law, hold in the month of July of each year, three examinations simultaneously at three different points in the state. The points where such examinations shall be held shall be determined by the state superintendent, and shall be chosen with reference to the accommodation of applicants in dif-

ferent parts of the state. The examinations so held shall be for the purpose of examining applicants for the county superintendent's certificate herein provided for. Each of the three examinations shall be held under the supervision of a member of the board of examiners, but the scope and character of the examination shall be previously determined by the board of examiners and the state superintendent. Printed questions shall be prepared on each subject upon which the applicant is required to be examined, and the board of examiners shall examine the papers written by applicants and shall file all papers so written in the office of the state superintendent.

Who entitled to certificates.

SECTION 4. All persons passing the examination prescribed in section 3 to the satisfaction of the board of examiners for state certificates, and who shall furnish satisfactory testimonials of moral character to the board of examiners, shall, upon the recommendation of the board, receive from the state superintendent the county superintendent's certificate, which, together with the eight months' experience in teaching in the public schools provided for in section 1, shall constitute a legal qualification to hold the office of county superintendent of schools. It shall also legally qualify the holder to teach in any public school in the state for which a first grade county certificate is now a legal qualification. Such certificate shall remain in force until revoked by the state superintendent in accordance with the provisions of section 457 of Sanborn and Berryman's annotated statutes of Wisconsin.

Copy of certificate to be filed with county clerk, when.

SECTION 5. The county clerk shall not place the name of any person upon the official ballot as a candidate for the office of county superintendent of schools unless such person shall have filed in the office of the county clerk, at least fifteen days before the date on which the election is to be held, proof of having successfully taught in the public schools of the state for a period of eight months, and a copy of the certificate required by this act.

SECTION 6. The provisions of law for payment of expenses and per diem of members of the board of examiners while conducting examinations for state certificates, shall extend to the examinations herein provided for, for the county superintendent's certificate. Compensation of examiners.

SECTION 7. The provisions of this act shall not operate to disqualify for re-election any person holding the office of county superintendent of schools at the time of its passage, nor any person who has at any time held the office of county superintendent of schools in the state of Wisconsin. Exemptions.

SECTION 8. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 365, A.] [Published May 4, 1895.

CHAPTER 334.

AN ACT to authorize the building of the "Grand avenue viaduct," and the issue of bonds to create a fund for the same.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The county board of supervisors of Milwaukee county is hereby authorized to issue bonds of said county of Milwaukee during the years 1895 and 1896, for the purpose of raising money for the building of a viaduct hereinafter provided for and the procurement of the right of way to the lands hereinafter described, and the payment of all damages Authorizing Milwaukee county to issue bonds for building viaduct.

which may be assessed or allowed to the owners of property that shall be purchased or condemned for the uses and purposes in this act provided; said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and shall be payable in not less than twenty years from their date, and the amount of bonds so to be issued shall not exceed one hundred and twenty-five thousand dollars in all, exclusive of interest.

How issued.

SECTION 2. The bonds issued under and by virtue of this act shall be signed by the chairman and countersigned by the clerk of the said county board of supervisors, and shall be under the corporate seal of said county, and shall be in the sums of one thousand dollars, five hundred dollars, and one hundred dollars each; the number of bonds of each amount to be fixed by the said county board of supervisors, with interest coupons payable semi-annually thereon; all of said bonds issued in any one year to be payable with the same rate of interest, and the interest payable semi-annually at one time and place, such time and place to be determined by the said county board of supervisors; and said bonds when signed, countersigned and sealed as aforesaid, shall be in the hands of a bona fide holder of the same for value, full and complete evidence both at law and in equity, to establish the indebtedness of said county of Milwaukee, according to the tenor and effect of said bonds.

When issued, duty of county treasurer.

SECTION 3. The county board of supervisors of said county of Milwaukee, at any legal meeting thereof, may direct by resolution, their chairman to sign and the clerk of said board to countersign all the bonds authorized to be issued by this act, or such part thereof as said board may from time to time determine; and it shall be the duty of the treasurer of the county of Milwaukee, under the supervision of said county board of supervisors, to negotiate the bonds so to be issued; provided, that none of said bonds shall be sold at a rate less than par: and the said county treasurer shall keep and

maintain all moneys received from the sale of the bonds so to be issued, in a fund separate from all other moneys belonging to said county, and no part of the said bonds, or of the money arising from the sale thereof, shall be expended for or applied to any purpose except to defray the expense of obtaining the right of way and building the viaduct hereinafter mentioned, and the said treasurer and his sureties shall be liable to said county for any misapplication of the same or any part thereof; and the said treasurer, before he shall receive said bonds for any purpose whatever, shall execute to the county board of supervisors of said county, a bond with three or more sufficient sureties, in the penal sum of double the amount of the bonds so to be received by him, conditioned that he will perform faithfully all orders and resolutions of said county board of supervisors, which may be passed by virtue of the powers conferred upon said board by this act; that he will keep the bonds received by him safely; that he will keep the moneys received by him and arising from the sale of said bonds safely and separately from other moneys belonging to the said county of Milwaukee, and that he will not pay out the same, nor any part thereof, except in the manner herein provided; which said bond shall be approved by the county board of supervisors of said county, and filed in the office of the clerk of said county board of supervisors; and the treasurer of said county shall, in a book in a form convenient for the purpose, keep all the coupons belonging to said bonds, when the same shall be returned and paid, said book at all times to be subject to the inspection of any citizen or citizens of said county.

To give bond.

SECTION 4. It shall be the duty of said county board of supervisors to provide for the payment of the interest and the ultimate payment of the principal of any and all county bonds which shall be issued under and by virtue of this act, and for that purpose said county board of supervisors is authorized, empowered

County board to cause annual tax levy to pay interest, etc.

and required to annually levy a tax upon all the taxable property of said county sufficient to pay the interest on said bonds, in the same manner as other taxes are levied and collected by law; and in the year next preceding any year when any or all of said bonds shall become due, the board of supervisors of said county of Milwaukee, shall levy a tax, as provided in this section, sufficient to pay said bonds so to become due.

Orders, how paid.

SECTION 5. All county orders drawn on the treasurer of said county, which are to be paid out of the moneys received on the sale of said bonds or any part thereof, shall contain the words following, to-wit: "on viaduct contract," and the treasurer shall pay no county order or orders drawn on him against the said county, out of the moneys received by him in the sale of said bonds or any part thereof, unless such order or orders shall contain the said words, "on viaduct contract," and the chairman of said county board of supervisors is hereby prohibited from signing, and the clerk of said board from countersigning any county order of said county which shall contain the words, "on viaduct contract," unless the consideration for such order be for work done or materials furnished, or both, in the construction and erection of said viaduct.

Bonds to be registered.

SECTION 6. The clerk of said county board of supervisors shall number said bonds, and cause the same to be registered in the office of the treasurer of said county of Milwaukee, in a book to be provided for that purpose.

Powers of county board.

SECTION 7. All legislative and administrative power necessary to carry this act into full force and effect, is hereby conferred upon the county board of supervisors of Milwaukee county.

County treasurer to receive one per cent. for negotiating bonds.

SECTION 8. The county treasurer of Milwaukee county for all the duties which he shall perform under this act, shall receive not exceeding one-half of one per cent. of the amount of bonds disposed of by him, in addition to the salary fixed by law for other duties by him performed as treasurer of said county; provided, however,

the county board of supervisors of said county are hereby empowered to employ any other person or any corporation instead of the said treasurer, to negotiate the whole or any portion of said bonds, upon such person or corporation giving such security as is herein required of the county treasurer of said county, to be approved in like manner by the said board, and to pay such other person, or such corporation for such services, not exceeding one-half of one per cent. for the amount of bonds negotiated by him or it.

Condition on which bonds shall be issued

SECTION 9. The said board of supervisors of the county of Milwaukee, is hereby authorized to issue the foregoing bonds at the times and in the manner hereinbefore provided upon this express condition only; that said county board of supervisors of Milwaukee county, shall before issuing and disposing of said bonds in the manner now provided by law, provide for the erection, construction and maintenance of a suitable viaduct constructed in the manner hereinafter provided, over, across and along the present road known as the Blue Mound Road, or Spring Street Road County Highway, commencing at a point forty feet north of a point on the south line nine hundred and thirty-three and twenty-four hundredths feet west of the southwest corner of the northwest quarter of section twenty-five, town seven, north of range twenty-one east in the town of Wauwatosa in said county, Wisconsin, and running thence west along said road to a point on the west line of said quarter section; or over and upon a strip of land in said town of Wauwatosa described as follows: Commencing at a point on the south line, nine hundred thirty-three and twenty-four one hundredths feet west of the southwest corner of the northwest quarter of section twenty-five (25), town seven (7) north, of range twenty-one (21) east, in town aforesaid, thence north forty (40) feet to a point; thence west on a line forty (40) feet north of and parallel to the quarter section line, seventeen hundred and forty-four and eighty-one one-hundredths feet to a

point on the west line of said quarter section, thence south on said section line, eighty (80) feet to a point forty (40) feet south of the south line of said northwest quarter; thence east on a line forty (40) feet south of and parallel to the south line of said quarter section, seventeen hundred forty-four and eighty-one one-hundredths feet to a point; thence north forty (40) feet to the place of beginning, containing one hundred thirty-nine thousand, five hundred eighty-four and eighty one-hundredths square feet of land more or less, being part of the northwest and southwest quarters of section twenty-five (25), for use as a county highway.

Location of viaduct.

SECTION 10. The said county board of supervisors of Milwaukee county shall, on or before September 1, 1895, at any regular meeting of said board, determine by resolution in the manner provided by law and the present rules and regulations of said county board over and upon which of said two tracts said viaduct shall be placed and constructed, and the determination of said county board and the selection by it of the tract over and upon which said viaduct shall be so placed and constructed shall be final, but no bonds shall be issued or any proceedings had until such determination has been made and had by said county board of supervisors of Milwaukee county.

To obtain right of way.

SECTION 11. In case the said county board of supervisors of Milwaukee county shall determine to erect and construct said viaduct not over and upon the Blue Mound Road or Spring Street Road County Highway, but over and upon the other tract of land herein described, the said county board shall immediately upon such determination proceed to obtain the right of way over and across said strip, and is hereby authorized to acquire the same from the owners thereof by dedication or to purchase the same from the owners thereof or to proceed to condemn the same in the manner provided by law by laying out a county road over and upon said strip of land, and said strip shall forever

after be used and maintained by the county of Milwaukee as a county highway, and said condemnation proceedings shall be governed by all provisions of law relating to the laying out of county roads by the county board so far as the same may be applicable.

Time of issuance of bonds.

SECTION 12. Within one year after the location of the viaduct has been determined by the said county board of supervisors of Milwaukee county, the bonds hereinbefore mentioned shall be issued and disposed of in the manner herein provided.

Construction, material, etc.

SECTION 13. The said county of Milwaukee shall construct said viaduct in a substantial manner of iron and steel, except the floor and floor beams and the abutments and piers. It shall rest upon iron and steel columns of suitable size, strength and dimensions, set on stone or concrete foundation, and shall be of the uniform width of not less than sixty feet and shall be of an even height and level and the west and east terminals shall be of the same altitude as nearly as practicable, and there shall be suitable approaches at either terminal points of said viaduct, also at such intermediate points as shall be necessary for safe and convenient access thereto; suitable and proper abutments shall be constructed at both terminal points in a solid and substantial manner.

To let contracts.

SECTION 14. The county board shall cause to be made a complete plan and detailed drawings and specifications for the work of construction and as soon thereafter as practicable, the county board shall let the contract for the work according to law and enter upon the construction of said viaduct, bridge and approaches in conformity thereto.

To remain under the absolute control of Milwaukee county.

SECTION 15. The said viaduct and the approaches thereto shall forever remain under the absolute control and management of the county of Milwaukee, and no franchises or rights shall ever be granted for purposes of horse, steam, electric or other railway communication and no exclusive franchises, privileges or immunities

shall ever be granted for the lighting of streets, highways or the like over the said viaduct or any part thereof, by said county to any person or corporation.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 465, A.] [Published April 25, 1895.

CHAPTER 335.

AN ACT to appropriate to Anton Langenkamp a sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to Anton Langenkamp.

SECTION 1. There is hereby appropriated to Anton Lagenkamp out of any money in the treasury, not otherwise appropriated, the sum of five hundred dollars, in full for expenses incurred by him in contesting for office of member of assembly for the assembly district comprised of the county of Kewaunee for the years 1893 and 1894.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 620, A.] [Published May 1, 1895.

CHAPTER 336.

AN ACT to authorize the board of regents of the state normal schools to purchase property in the city of Milwaukee.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Normal school regents authorized to purchase land.

SECTION 1. The board of regents of the state normal schools of the state of Wisconsin are hereby authorized to purchase in the name of the state of Wisconsin a piece of land in block twenty-two in the sixteenth ward of the city of Milwaukee, for the use of the state normal school when so purchased.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 606, A.] [Published May 1, 1895.

CHAPTER 337.

AN ACT to provide for fishways in the dams on and across all streams in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fishways to be constructed.

SECTION 1. It shall be the duty of all persons, firms or corporations owning, occupying, using or having charge of any dam now erected or hereafter to be erected on or across any waters of the state of Wisconsin, to construct in or upon

such dam, good and sufficient fishways, which fishways shall be constructed according to plans furnished by the secretary of the state fish commission, upon application therefor by any person interested in the dam or dams in which it is proposed to place such fishways; provided, that no person, firm or corporation shall be compelled to construct any fishway under the provisions of this act, the necessary and original cost of which shall exceed the sum of one hundred and fifty dollars.

To be kept in good repair.

SECTION 2. The person, firm or corporation owning, occupying or having charge of any such dam shall keep such fishway in good repair, open and unobstructed from the first day of March to the fifteenth day of June in each year.

Fish commissioners have power to suspend operation of this act, when.

SECTION 3. The state board of fish commissioners, by certificate issued under seal of the board, directed to the owner, occupier or user or person in charge of any dam mentioned in this act, shall have power to suspend the operation of this act with respect to such dam or dams, if it shall appear to the said board of fish commissioners that the said fishway or fishways is or are not necessary to the free passage of fish, or that there are no fish in the stream over which the state has exercised any protecing jurisdiction.

To be placed in dams by March 1, 1896.

SECTION 4. All fishways provided for in this act shall be placed in the dam or dams, not exempted by the state fish commission, as provided for in section 3, of this act, on or before March 1, A. D. 1896.

Penalty for violation of this act.

SECTION 5. Any person, firm or corporation owning, occupying or having charge of any dam or dams on or across any stream or other waters of this state, shall be liable, upon conviction of a violation of any of the provisions of this act, to a fine of five dollars per day for each and every day after the said first day of March, A. D. 1896, that said dam or dams so owned, occupied or in charge of him or them shall be unprovided with good and sufficient fishways, constructed according to plans furnished by the said secretary of the state fish commission.

SECTION 6. Any person, firm or corporation owning, occupying or having charge of any dam or dams in this state, who shall fail to keep the fishways in such dam or dams open and unobstructed during the time between the first day of March and the succeeding fifteenth day of June in each year, shall be liable upon conviction thereof, to a fine of not less than ten dollars per day for each and every day such fishway shall not be open and unobstructed during the time specified.

Fishways to be kept open from March 1st to June 15th.

SECTION 7. One-half of the fines imposed by this act shall go to the person or persons upon whose information the charge was made upon which a conviction was secured under the provisions of this act.

Fines, how divided.

SECTION 8. All acts or parts of acts inconsistent with or conflicting with this act are hereby repealed.

Repeal.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 686, A.] [Published May 4, 1895.

CHAPTER 338.

AN ACT to allow Forest county and certain towns therein to raise and expend moneys for county and school purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. In addition to the moneys heretofore authorized and allowed to be raised, the county of Forest is hereby authorized and allowed to raise and expend the sum of fifteen hundred dollars annually, for county purposes.

Forest county authorized to raise $1,500 annually, for county purposes.

Towns of Crandon and Gagen authorized to raise $250 annually for school purposes.

SECTION 2. In addition to the moneys heretofore authorized and allowed to be raised in the towns of Crandon and Gagen, in the county of Forest, are hereby authorized to raise and expend in each of said towns the sum of two hundred and fifty dollars annually hereafter, for school purposes.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 72, A.] [Published May 3, 1895.

CHAPTER 339.

AN ACT to amend sections 2 and 3, of chapter 526, laws of 1889, and section 5, of chapter 249, laws of 1891, entitled, "An act to provide for and regulate the printing, binding and distribution of the reports of state officers, departments, institutions and societies."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending chapter 526, laws of 1891, and chapter 249, laws of 1891.

SECTION 1. Section 2, of chapter 526, of the laws of 1889, is hereby amended by striking out the word "three" where it occurs in the seventh line of the same section and insert in lieu thereof the word "five;" strike out the words "the report of the insurance commissioner, one hundred pages," where they occur in lines 12, 13 and 14 of section 2, by substituting for the words "supervisors, two hundred" in the fifteenth line, the words "control, three hundred and fifty;" and by eliminating the words, "the report of the state board of charities and reform one hundred and fifty pages," in the sixteenth and seventeenth lines, so said section shall read as follows: Section 2. The biennial report

of the several state officers, departments and institutions shall be limited in number of pages as hereinafter specified: The report of the secretary of state, including the report of the commissioners of public printing and the report of the superintendent of public property, not exceeding five hundred pages; the report of the state treasurer, not exceeding one hundred pages; the report of the state superintendent, two hundred and fifty pages; the report of the railroad commissioner, two hundred pages; the report of the state board of control, three hundred and fifty pages; the report of the commissioners of public lands, fifty pages; the report of the board of university regents, fifty pages; the report of the board of normal school regents, fifty pages; the report of the commissioner of labor statistics, three hundred pages; the report of the adjutant general, fifty pages; the report of the quartermaster general, twenty-five pages; the report of the commissioners of fisheries, twenty-five pages; the report of the industrial school for girls, twenty-five pages; the report of the state supervisor of illuminating oils, twenty-five pages; the report of the state board of health, two hundred pages; the Milwaukee county insane asylum, fifty pages.

Reports, number of pages of various.

SECTION 2. Section 3, of chapter 526, of the laws of 1889, is hereby amended by adding after the word "thousand" in the ninth line of said section the words "five hundred;" strike out the words "of the insurance commissioner one thousand five hundred copies" where they occur in lines 14 and 15 of said section 3; by changing the word "supervision" in the fifteenth and sixteenth lines to "control;" by eliminating the words "of the state board of charities and reform, one thousand copies" in the sixteenth and seventeenth lines; by changing the word "one" in the sixteenth line, to "two;" and by changing the word "three" in line thirty-one to "nine;" so said section when amended shall read as follows: Section 3. Within ten days after the biennial reports of the several state departments and state institutions shall have

To be printed by state printer.

been placed in the hands of the commissioners of printing, and by them approved as provided by law, the same shall be delivered to the state printer, through the secretary of state, who shall immediately proceed to print as follows: Of the report of the secretary of state, three thousand five hundred copies; of the state treasurer, one thousand five hundred copies; of the state superintendent, one thousand copies, and eight thousand copies of his condensed reports; of the railroad commissioner, one thousand copies; of the state board of control, two thousand copies; of the commissioners of public lands, five hundred copies; of the regents of the university, one thousand copies; of the commissioners of fisheries, seven hundred and fifty copies; of the state supervisor of illuminating oils, five hundred copies; of the adjutant general, one thousand copies; of the commissioner of labor statistics, ten thousand copies; of the Milwaukee county insane asylum, five hundred copies; of the industrial school for girls, five hundred copies; of the regents of the normal schools, one thousand copies; of the state board of health, nine thousand copies; and further, there shall be printed two thousand copies of the message of the governor to the legislature, next to convene after the delivery of said biennial reports.

Number of copies.

Report of Wis. state agricultural society.

SECTION 3. Section 1, of chapter 249, of the laws of 1891, is hereby amended: Strike out the words "two hundred" where they occur in the eighteenth line of the same section, and insert in lieu thereof the words "two hundred and fifty," and by striking out the word "seven" where it occurs in the tenth line of said section and inserting in lieu thereof the word "six," and by striking out the word "ten" where it occurs in line three and inserting the word "seven," and by striking out the words "the same to embrace the reports of the county and other agricultural societies" where they occur in lines five and six of said section, and by adding the words "shall contain" after the last word "and" in the said sixth line of said sec-

tion, and by inserting after the word "society" where it occurs in line five, the words "all of which shall be bound in cloth," so that said section when so amended shall read as follows: Section 1. And further there shall be printed annually and upon the approval and order of the commissioners of public printing, seven thousand copies of the transactions of the Wisconsin state agricultural society, all of which shall be bound in cloth, and shall contain such matters pertaining to the agricultural industries of the state as shall be deemed important; provided, the whole number of printed pages shall not exceed four hundred. Seven thousand copies of the transactions of the Wisconsin state horticultural society, four thousand of which shall be bound in cloth, the same to embrace such abstracts of reports of county and other horticultural societies and such matters pertaining to the horticultured interest of the state as shall be deemed important; provided, that the whole number of printed pages shall not exceed two hundred and fifty. Eight thousand copies of the transactions of the state dairyman's association, the same to embrace such other matters pertaining to the dairy interest of the state as shall be deemed essential; provided, that the whole number of printed pages shall not exceed two hundred. Fifteen thousand copies of the report of the agricultural experiment station of the state university; provided, that the whole number of printed pages shall not exceed three hundred and fifty. Except as otherwise provided, two thousand copies of each of said reports to be bound separately in cloth, all others singly, in paper.

Horticultural society.

Dairymen's association.

Agricultural experiment station.

SECTION 4. The printing commissioners are authorized and empowered to secure the printing of half tone and other cuts in the university bulletins and reports, and such other documents as they may deem proper; if the printing of the same is not provided for in the contract with the state printer the printing commissioners are authorized to fix the price for such printing at the lowest current rates. The

University bulletin.

printing commissioners are also authorized and empowered to have made a reasonable number of cuts for illustrating the university bulletins which may be printed by authority of law.

SECTION 5. All acts and parts of acts inconsistent with or contravening the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 663, A.] [Published May 3, 1895.

CHAPTER 340.

AN ACT relating to circuit courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Circuit judge may call in another judge—when.

SECTION 1. Whenever the causes at issue on the calendar at any term of a circuit court for any county in this state shall exceed one hundred in number, the judge holding such court may enter an order that some other circuit judge, naming him, may be called in to aid in the trial of causes; provided, however, that no judge shall be so named, till such judge shall have consented to attend the court of the judge calling him.

Both judges may hold court at the same time.

SECTION 2. Whenever any circuit judge shall have been called to attend at any term of court outside of his circuit, as provided in section 1, of this act, or whenever he shall attend a term of court outside of his circuit, under any law of this state, both judges may hold court at the same time in the same county and exercise all the powers of presiding judge at the term, and they may try cases separately at

the same time; provided, that both shall not try cases by jury at the same time.

SECTION 3. It shall be the duty of any circuit judge, upon an order and request made pursuant to section 1, of this act, to attend and aid in the transaction of business at such terms so far as in his judgment the proper discharge of his duties in his own circuit will permit him to do so.

Expenses to be paid by county where court is held.

SECTION 4. Whenever a circuit judge shall be required, pursuant to any law, to hold court in any county outside of his circuit, his expenses while in the discharge of such duties shall be paid by the county treasurer of the county in which the court is held, upon the certificate of the clerk of the circuit court in which such judge presides.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 560, A.] [Published May 4, 1895.

CHAPTER 341.

AN ACT to authorize the Butternut Water Power Company, a Wisconsin corporation, and its assigns, to build, maintain and operate dams and other improvements across Butternut creek in the county of Ashland, and collect toll for the use of the water stored by said dams for the use thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Butternut Water Power Co. authorized to build dam across Butternut creek, Ashland county.

SECTION 1. The Butternut Water Power Company, a Wisconsin corporation, and its assigns, the hereby authorized to build, maintain and operate a dam or dams across Butternut

creek, at any point deemed necessary or convenient between the north line of section ten, township forty-one, range one west, in Ashland county, Wisconsin, and a point where said Butternut creek flows into Butternut lake on section thirty-two, of township forty-one, range one west, for the purpose of equalizing the flow of water in Butternut creek, in aid of driving logs, ties, timber, telegraph poles and posts down the same, to be stored in the boom on said creek at a point where the Wisconsin Central railway crosses said creek or at the mouth of said creek in Butternut lake.

How constructed.

SECTION 2. Said dam or dams shall be constructed and maintained with suitable sluices for the passage over the same of all logs, ties, timber, telegraph poles and posts destined for points below said dam or dams.

How operated —tolls.

SECTION 3. Said Butternut Water Power Company, and its assigns, may maintain and operate said dam or dams, so as to regulate the flow of water in said Butternut creek in such a manner as in its best judgment will best subserve the purpose specified in section 1, of this act, and shall to that end have the right to store all of the natural flow of the water in said Butternut creek and to take possession of the said Butternut creek between the points mentiond in section 1, of this act, for the purpose of improving the same, and the said Butternut Water Power Company, and its assigns, are hereby authorized and empowered to clear the river between said points of all obstructions, and straighten the channels, close sloughs and bayous, and otherwise improve said creek between said points; provided, however, that the said Butternut Water Power Company, and its assigns, shall at all times operate said dam or dams so that any person or corporation owning logs, ties, timber, telegraph poles or posts on said creek and desiring to drive the same, shall have the benefit of the water stored by said dam or dams upon the payment to the said Butternut Water Power Company, and its assigns, the sum of twenty cents per thousand

feet, for all logs and timber driven past said dam or dams, and twenty cents per hundred, for all ties, telegraph poles and posts driven over said dam or dams or driven to the point where the Wisconsin Central railway crosses said creek or to said Butternut lake, by aid of said dam or dams or by the water accumulated thereby.

May exercise rights under section 1777, revised statutes.

SECTION 4. Said Butternut Water Power Company, and its assigns, for the purpose of acquiring any flowage rights that it may deem necessary in carrying out the provisions of this act, may exercise all powers granted to corporations by section 1777, of the revised statutes for 1878, and all acts amendatory thereof.

Toll to be a lien.

SECTION 5. Said charges for the driving of logs, ties, timber, telegraph poles or posts, or the use of the water stored by said dam or dams, shall be a lien at the said prices above stated upon such logs, ties, timber, telegraph poles and posts driven down said stream, whether the same be driven from a point above said dam or dams, or a point below said dam or dams, to the point where the Wisconsin Central railway crosses said creek or to said Butternut lake. Said Butternut Water Power Company, and its assigns, for the purpose of collecting such charges, shall have a lien upon said logs, ties, timber, telegraph poles and posts, the same to be filed and enforced in such manner as liens for labor upon logs and timber, as provided by sections 3329 and 3331, revised statutes, and acts amendatory thereof.

May build booms

SECTION 6. Said Butternut Water Power Company, and its assigns, may also build and maintain a boom or booms on said creek and at a point where the Wisconsin Central railway crosses said creek and in said Butternut lake, for the purpose of stopping, holding, securing, sorting and rafting all logs, ties, timber, telegraph poles and posts that may be driven down said stream, and for the purpose of constructing said boom or booms, said Butternut Water Power Company, and its assigns, shall

have authority to clear the mouth of said creek of all obstructions of whatever nature.

Rights reserved

SECTION 7. The right to amend or repeal this act is hereby reserved.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 664, A.] [Published May 3, 1895.

CHAPTER 342.

AN ACT relating to grand jurors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Grand jurors to be summoned only on order of judge.

SECTION 1. No grand jurors shall be summoned to attend any term of the circuit court unless the judge thereof shall make and file with the clerk at least fifteen days before the sitting of the said court, an order in writing directing such jury to be summoned.

SECTION 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 410, A.] [Published May 3, 1895.

CHAPTER 343.

AN ACT amending section 375, revised statutes of 1878, in relation to binding for the State Historical Society.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 375, revised statutes, relating to binding for State Historical Society.

SECTION 1. That portion of section 375, of the revised statutes of 1878, as amended by chapter 106, of the laws of 1880, which relates to binding for the State Historical Society is hereby amended to read as follows: The secretary of state shall cause the state printer to bind, in half calf binding, the British patent reports, and in suitable binding all newspaper files, and other periodicals which the society, as the trustee of the state, shall hereafter receive; and said printer shall, on order of the secretary of state, print such circulars, blanks and labels as the corresponding secretary of said society may require in the conduct of the society's business. The secretary of state is directed to audit the same, and for these purposes a sufficient amount is hereby appropriated out of any money in the state treasury not otherwise appropriated.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 561, A.] [Published May 4, 1895.

CHAPTER 344.

AN ACT to legalize the incorporation of the village of Ontario, Vernon county, Wisconsin, and all acts pertaining thereto.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Incorporation of Ontario, acts legalized.

SECTION 1. All acts connected with the incorporation of the village of Ontario, Vernon county, Wisconsin, are hereby legalized.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 505, A.] [Published May 4, 1895.

CHAPTER 345.

AN ACT to authorize Lewis M. Alexander to construct and maintain a toll bridge across the Wisconsin river from any point on section thirty-six on the west side of said river to any point on said section opposite thereto, in township twenty-two north, of range five east, in Wood county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Lewis M. Alexander may construct a bridge across the Wisconsin river.

SECTION 1. Lewis M. Alexander, his associates, heirs and assigns, are hereby authorized and empowered to build and maintain a toll bridge across the Wisconsin river from any point on section thirty-six on the west side of said river to any point on said section opposite

thereto, and on the east side of said river, in township twenty-two north, of range five east. Such bridge shall not be less than eighteen feet wide and provided with strong railings on the sides and shall be of sufficient height so as not to obstruct the free passage of rafts, logs and timber, passing down said river.

May charge and collect tolls.

SECTION 2. The said Lewis M. Alexander, his associates, heirs and assigns, shall have the power and legal right for the term of ten years immediately after the opening of said bridge for traffic to demand, receive and collect tolls for passage over said bridge at rates not exceeding the following: For any vehicle drawn by two horses, mules or oxen, twenty-five cents; for any vehicle drawn by one horse or mule, fifteen cents; for horses or cattle in droves of ten or less, five cents each; when the same are in droves of more than ten, three cents each; sheep or swine in droves of ten or less, three cents each; if in droves of more than ten, two cents each, and for each person, five cents each way.

Must keep rates of toll posted.

SECTION 3. Said Lewis M. Alexander, his associates, heirs and assigns, shall keep posted upon a conspicuous place on said bridge the rates of toll established by him or them not exceeding the rate allowed by this act.

Penalty for trespassing on

SECTION 4. Any person who shall forcibly or fraudulently pass over the bridge authorized by this act without paying the legal toll, shall be guilty of trespass, and shall for each offense forfeit the sum of five dollars to and for the legal owners of said bridge to be recovered with costs as in other actions of trespass in any court having jurisdiction.

Penalty for malicious injury.

SECTION 5. Any person or persons carelessly or maliciously injuring said bridge shall be liable to the owners thereof in double the amount of the injury done; and all damages sustained may be collected in any court having jurisdiction thereof.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 710, A.] [Published May 4, 1895.

CHAPTER 346.

AN ACT to authorize George L. Rogers and R. A. Cook, their associates, heirs and assigns, to build and maintain a dam across the east fork of the Chippewa river in the county of Ashland, Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

George L. Rogers and R. A. Cook authorized to build a dam across east fork of Chippewa river, Ashland county.

SECTION 1. George L. Rogers and R. A. Cook, their associates, heirs and assigns, are hereby authorized to build and maintain a dam across the east fork of the Chippewa river in section twelve in township forty-two north, in range two west, in the county of Ashland, said dam not to exceed ten feet in height from the bottom of the stream.

Maintain chute.

SECTION 2. The said George L. Rogers and R. A. Cook, their associates, heirs and assigns, shall build and maintain a chute or slide in said dam of not less than twenty-four feet in width for the running of logs and timber over the same, which chute or slide shall be kept open at all times when said river is at a driving stage and there are logs or timber to be run over said dam.

Fishways.

SECTION 3. And the said George L. Rogers and R. A. Cook, their associates, heirs and assigns, shall build and maintain in said dam a good and sufficient fish-way so that all fish may easily pass over said dam.

Rights reserved.

SECTION 4. The right to alter, amend or repeal this act is hereby reserved.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 631, A.] [Published May 4, 1895.

CHAPTER 347.

AN ACT relating to the municipal court of Rock county, and amendatory of chapter 197, laws of 1881, as amended by chapter 237, of the laws of 1887.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 5, ch. 197, laws of 1881.

SECTION 1. Section 5, of said chapter 197, laws of 1881, as amended by section 2, of chapter 237, laws of 1887, is hereby amended by adding thereto at the end thereof the following: "And in all actions tried in said court in which such reporter shall take the testimony, the judge may file the stenographic notes of the reporter as the testimony in the case, and no costs for the same in civil actions shall be taxed in the judgment. And the judge of said court in cases of appeal from a judgment rendered therein in a civil action, shall not be required to return to the circuit court any testimony other than such stenographic notes."

Judge may file reporter's notes as testimony.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 617, A.] [Published May 3, 1895.

CHAPTER 348.

AN ACT to authorize the laying of highways to and across the islands, bottoms and sloughs of the Mississippi river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorizing the laying out of highways to and across the islands of the Mississippi river. Award of damages, etc.

SECTION 1. Whenever any person shall present to the supervisors of any town, an affidavit satisfying them that he is the owner of an island or islands in and among the bottoms and sloughs of the Mississippi river, describing the same within said town, and that the same is shut off from the bank of said river and from a highway by islands and sloughs of said river, and by land owned by other person or persons, lying between the island of the affiant and the highway, and that he is unable to purchase from any of said persons the right of way over or through the same to a highway, or that it cannot be purchased except at an exorbitant price, stating the lowest price for which the same can be purchased by him, the said supervisors shall, after ten and within thirty days, and after giving notice of the time and place of meeting therefor in the manner provided by section 1275, revised statutes of this state, proceed to lay out a public highway of not more than three nor less than two rods in width from a public highway to such island, and shall assess the damages to the owner or owners of the real estate over or through which the same shall be laid, and the advantages to the applicant; upon laying out such highway they shall make and sign an order describing the same and file same with the town clerk, together with their award of damages, which order shall be recorded by said clerk; provided, that the amount assessed as advantages to the applicant shall be paid to the town treasurer before the order laying out such highway shall be filed.

SECTION 2. Appeals may be taken from any order of the supervisors made under the preceding section and from any award of damages in the same manner and to the same extent and like proceedings had thereon as is provided by law in other cases of laying out highways by the supervisors of a town. Appeals.

SECTION 3. When any highway or highways shall be laid out under the provisions of this act, the supervisors of any town in which such highway or highways shall be laid, shall form the territory which, in their judgment, is benefited thereby into a road district or road districts, and an overseer of highways shall be elected for such road district in the same manner and with like powers and duties as is now prescribed by law for overseers of highways in road districts in other cases. Road district created.

SECTION 4. There shall be levied and collected upon the taxable property in every such road district, in each year, a tax not exceeding one per centum of the assessed valuation of such property, which tax shall be assessed and collected in the same manner that other highway taxes are assessed and collected for the purpose of maintaining and keeping in repair such highways, and it shall be the duty of overseer of highways in such road district to expend such moneys for that purpose. Road tax to be levied.

SECTION 5. No town shall be liable for any want of repair or defect in any such highway nor for any accident or injury happening thereon. Town not liable for injury.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 159, A.] [Published April 24, 1895.

CHAPTER 349.

AN ACT to authorize the appointment of additional court commissioners in Milwaukee county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorizing appointment of additional court commissioners for Milwaukee county.

SECTION 1. The circuit court (and in vacation the circuit judge) of the second judicial circuit is hereby authorized and empowered to appoint as many court commissioners in and for the county of Milwaukee, as the proper transaction of business, in its opinion, may require.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 632, A.] [Published May 2, 1895.

CHAPTER 350.

AN ACT to amend chapter 197, laws of 1881, as amended by chapter 101, laws of 1882.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending ch. 101, laws of 1882. Return of attachment.

SECTION 1. Section 1, of chapter 101, laws of 1882, is hereby amended by adding to the end thereof the following, to-wit: Provided, however, that the service, return and the time in which such return shall be made in such actions, shall be the same as required for the warrant of attachment in justice court, and in pur-

suance of sections 3702 and 3703, of the revised statutes.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 290, A.] [Published May 2, 1895.

CHAPTER 351.

AN ACT to amend section 1, chapter 339, laws of 1889, entitled, "An act to provide for the relief of indigent and needy union soldiers and marines, and the indigent or needy wives, widows and minor children of indigent or deceased union soldiers, sailors or marines."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending ch. 339, laws of 1889, relating to additional tax for relief of indigent union soldiers.

SECTION 1. Section 1, of chapter 339, laws of 1889, is hereby amended so that said section shall read as follows: Section 1. The county boards of supervisors of the several counties of this state are hereby authorized, and it shall be the duty of such boards to levy, in addition to the taxes now authorized to be levied by law, a tax of one-tenth of one mill upon the taxable property of their respective counties; and if said county boards of supervisors shall, in their judgment, deem said tax of one-tenth of one mill inadequate to raise a fund sufficient to carry out the intent of the provisions of this act, they may in their discretion levy, in addition to said one-tenth of one mill, such a per cent. or sum which together with one-tenth of one mill, will not be less than one-tenth and not more than three-fifths of one mill upon the taxable property of their respective counties; the tax determined upon by the board of supervisors to be levied

and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of indigent or needy union soldiers, sailors and marines, and the indigent or needy wives, widows and minor children of indigent or deceased union soldiers, sailors and marines, said fund to be disbursed as hereinafter provided.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 662, A.] [Published May 2, 1895.

CHAPTER 352.

AN ACT to amend section 2, of chapter 478, of the laws of 1891, entitled, An act asserting the jurisdiction of the state of Wisconsin to and in the St. Croix river, and authorizing parties therein named to build and maintain a dam and certain booms upon said river and to otherwise improve the navigation of the same, and of the lakes, ponds and sloughs adjacent thereto, and for such purpose to condemn and take private property, and to amend chapter 224, of the laws of 1882.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending ch. 478, laws of 1891, agent to reside in Polk county.

Section 1. Section 2, of chapter 478, of the laws of 1891, is hereby amended by adding after the word "Wisconsin" where the same occurs in the seventh line thereof, the words "and of the county of Polk," so that said section when so amended shall read as follows: Section 2. Section 12, of said chapter 215, of the laws of 1889, is hereby amended by adding thereto the following: And the said parties above named, shall, within thirty days after the publication of this act, by an instrument in writing, appoint

some person, a resident of the state of Wisconsin, and of the county of Polk, as their agent, upon whom all process in any action commenced against them in any of the courts of this state may be served; and shall thereby authorize such agent to accept and receive service of all such process. Such appointment shall within the time aforesaid, be filed in the office of the clerk of the circuit court of Polk county, and after the filing thereof, service upon such agent of any such process, may be made upon such agent, and shall have the same effect as personal service upon all of said parties above named, their heirs or assigns; provided, that said parties above named, their heirs or assigns, may from time to time change their said agent, by making and filing in the same manner, another appointment.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 509, A.] [Published May 2, 1895.

CHAPTER 353.

AN ACT to amend section 4809, of the revised statutes of Wisconsin, relating to change of venue in criminal cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 4809, revised statutes, relating to change of venue in criminal cases.

SECTION 1. Section 4809, of the revised statutes of Wisconsin, is hereby amended by adding at the end of said section the following, to-wit: When there are two or more defendants charged with the same offense, no change of the preliminary examination shall be allowed or had, unless all of said defendants so accused

shall join in said application and oath, for the removal of said examination as in this section provided.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 569, A.] [Published May 2, 1895.

CHAPTER 354.

AN ACT to amend subdivision 4, of section 3873a of Sanborn and Berryman's revised statutes of the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending subd. 4. sec. 3873a, Sanborn & Berryman's statutes. Hearing of application, notice, how given.

SECTION 1. Subdivision 4, of section 3873a of Sanborn and Berryman's annotated statutes of the state of Wisconsin is hereby amended so that said subdivision when so amended shall read as follows: Subdivision 4. The court shall by order fix a time and place of hearing such petition at a term of such court, not less than six weeks from the date of such order, and cause notice thereof to be given by publication at least three successive weeks, once in each week, as provided in section 4045, of the revised statutes, by personal service of such notice on all of said heirs and guardians residing in this state, at least twenty days before such hearing, and by mailing copies of such petition and notice to all said heirs residing out of this state, whose residence is known or can with due diligence be ascertained, at least six weeks before said hearing; but no such personal notice or mailing shall be required to any person of full age, who shall by writing indorse on such petition or a copy thereof attested by one wit-

ness and acknowledged before a clerk of a court of record or notary public, or signed in open court before the county judge consent that such petition be granted. That all such publications heretofore made under provision of this section, whether such notices were published once in each week for three successive weeks, or daily for three successive weeks, are hereby legalized and to be effective in either event.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 621, A.] [Published May 3, 1895.

CHAPTER 355.

AN ACT to amend the laws relating to personal safety in factories, hotels and public buildings.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 4575a, revised statutes.

Fire escapes, certain buildings to have.

SECTION 1. Section 4575a, of the revised statutes is amended so as to read as follows: Section 4575a. Any person, persons, or body corporate owning, occupying or controlling any factory, workshop or structure three or more stories high, in which twenty-five or more persons are employed at any kind of labor shall provide and keep connected with the same one or more good and substantial metallic or fireproof ladders, stairs or stairways, ready for use at all times, reaching from the cornice to the top of the first story, on the outside of such building, and placed in such position and in such number as may be designated by the chief of the fire department, fire marshal, or state factory inspector, and at each story above the

first there shall be a wrought iron balcony in connection with each such ladder, substantially attached to the building, of such length as to permit of access to the same from two or more windows on each story, and of sufficient size to furnish reasonable means of escape to the persons employed therein, from each and every floor or story above the first. In all cities where there is a water supply, by either waterworks, fire engines, or local pumping station, there shall be attached to the fire escape, except on buildings equipped with automatic sprinklers, a three inch wrought iron standpipe, extending from a point within five feet from the ground to a point three feet above the roof or cornice, at each story above the first, and on the roof shall be attached a two and one-half inch angle hose valve, with male hose connection, and a double or siamese "Y" female hose connection, at the base of the pipe, the threads of the same to conform to the size and pattern used by the fire department where located. And any such person, persons or corporate body who shall for three months after notice by the chief of the fire department, fire marshal or state factory inspector of the passage and publication of this act fail to provide and keep such means of escape from fire or such standpipe, shall be subject to a fine not exceeding one hundred dollars or to imprisonment in the county jail not exceeding three months, at the discretion of the court.

Penalty.

Fire escapes to be placed on certain buildings.

SECTION 2. Section 1636d, of the revised statutes, is hereby amended so as to read as follows: Section 1636d. Every inn, hotel, boarding house, store house or tenement building in this state, more than two stories high and containing sleeping apartments, offices, theaters, or assembly halls, or work rooms, above the ground floor, designed for occupancy by twenty-five or more persons, shall be provided with one or more fire-proof stairs, or ladders outside, and to be placed in such position and in such number as may be designated by the chief of the fire department, fire marshal or state factory in-

spector; said stairs or ladders to be located on different sides of said inn, hotel, boarding house, store house or tenement building, in each case connecting the cornice with the top of the first story of any such buildings with a wrought iron platform, balcony, piazza or other safe and convenient resting place on a level with the floor of each story so connected, and of such length as to permit of access to the same from not less than two windows on each story. Such stairway or ladders herein named shall in every case be convenient of access from the interior of any such building, commodious in construction, and of sufficient strength and firmness to render the same amply safe and reliable for the purpose of ascent and descent in case of danger from fire. In all cities where there is a water supply, by either waterworks, fire engines or local pumping station, there shall be attached to the fire escape a three-inch wrought iron standpipe, extending from a point within five feet from the ground to a point three feet above the roof or cornice; at each story above the first and on the roof shall be attached a two and one-half inch angle hose valve, with male hose connection, and a double or siamese "Y" female hose connection at the base of the pipe, the threads of the same to conform to the size and pattern used by the fire department where located. But this act shall not be construed so as to apply to private dwellings.

Elevators to be fire-proof.

SECTION 3. The inside walls or casings of every elevator for the conveyance of passengers to and from the upper stories of any such building, as is described in the preceding section of this act, shall be constructed of fire-proof material throughout.

Watchman, when on duty.

SECTION 4. In all inns, hotels, or other buildings hereinbefore described, containing one hundred rooms or more, not less than one efficient watchman shall be on service from ten o'clock p. m. until five o'clock a. m., during each and every night that said inn, hotel or other building described is occupied, and every such watch-

man shall be required to establish the fact of his fidelity on each occasion, when on duty by the most efficient methods in use for that purpose.

Notice of fire-escapes to be posted.

SECTION 5. In every inn, hotel, or other building hereinbefore described, there shall be posted in every room, in legible print, a brief and accurate statement of all means of safety and escape in case of fire; a red light shall be kept burning all night, located at the head of each stairway above the first floor, also one on each floor above the first, at or near the exit to each of the stationary fire escapes.

Penalty.

SECTION 6. Any owner, landlord or other person in charge of any building hereinbefore described, and coming within the provisions of this act, who shall omit to comply with the provisions of this act, or who shall knowingly permit any violation of the provisions of this act, shall be held guilty of a misdemeanor in permitting the violation of any provisions of this act, and for such misdemeanor may be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding ninety days, on each conviction thereof.

Fire marshal to enforce this act.

SECTION 7. It is hereby made the duty of every chief or fire marshal of the fire department of every incorporated town, village or city, where such an officer is provided for to enforce this act. In such places as a chief or fire marshal is not provided for, the state factory inspector shall enforce this act. Any person or perons failing to comply with the provisions of this act within ninety days after being notified by the chief, fire marshal or state factory inspector, shall be subjected to prosecution under this act. Upon notice of failure of any person or persons to comply with the provisions of this act, having been filed with the district attorney by the officers herein named, it shall be the district attorney's duty to prosecute the party or parties before any competent tribunal; provided, however, that none of the provisions of this act shall apply to any buildings now erected and which are

supplied with a reasonable fire escape, or fire escapes.

SECTION 8. All acts or parts of acts conflicting with the provisions of this act are hereby repealed. Repeal.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 340, A.] [Published April 25, 1895.

CHAPTER 356.

AN ACT to appropriate the sum of money therein named, to the reformatory, charitable and penal institutions of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the general fund not otherwise appropriated, to the institutions below named, the following sums of money, for the purposes specified, to-wit: To the Wisconsin state hospital for the insane, for current expenses, including painting and necessary repairs to January 1, 1897, one hundred and thirty-two thousand dollars. To the northern hospital for insane, for current expenses, including painting and necessary repairs, to January 1, 1897, one hundred and fifty thousand dollars. To the Wisconsin school for the deaf, for current expenses, including painting and necessary repairs, to March 1, 1897, eighty-five thousand dollars; for the construction and equipment of a manual training building, ten thousand dollars. To the Wisconsin school for the blind, for current Appropriation to various charitable, reformatory and penal institutions to January 1, 1897.

expenses, including painting and necessary repairs, to March 1, 1897, seventy-three thousand dollars; for the erection and equipment of a new school building, twenty-five thousand dollars; for the purchase and improvement of twenty-six acres of land adjoining the institution grounds, six thousand dollars. To the Wisconsin industrial school for boys, for current expenses, including painting and necessary repairs, to January 1, 1897, one hundred and five thousand dollars; for equipping a manual training department, five thousand dollars. To the Wisconsin state prison, for current expenses including painting and necessary repairs, to March 1, 1897, forty-five thousand dollars; for deficiency on account of current expenses to March 1, 1895, thirty thousand dollars; for an electric lighting plant, fifteen thousand dollars. For the purchase of forty acres of land and additional farm buildings, five thousand dollars. To the state public school, for current expenses, including painting and necessary repairs, to March 1, 1897, eighty thousand dollars; for a new hospital building, six thousand dollars.

Governor authorized to erect electric lighting plant, for lighting capitol building.

SECTION 2. The governor is hereby authorized at his discretion to cause to be erected in the capitol building an electric lighting plant for the purpose of lighting the capitol building and the capitol park. Such electric lighting plant not to cost to exceed thirteen thousand dollars.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 391, A.] [Published May 4, 1895.

CHAPTER 357.

AN ACT to authorize Warren Flint and Edward Porter, their associates and assigns, to build and maintain a dam across Fisher river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorizing Warren Flint and Edward Porter to build dam across Fisher river.

SECTION 1. Warren Flint and Edward Porter, their associates and assigns are hereby authorized to build and maintain a flooding dam across Fisher river on section thirty-four, township thirty-two north, of range six west, and a rolling dam on section four, township thirty-one north, of range six west, together with all piers, booms and cut-offs necessary to facilitate the floating and driving of logs and timber down and out of said river.

May collect tolls.

SECTION 2. Whenever the said Warren Flint and Edward Porter, their associates or assigns shall have maintained said dam with suitable gates and slides for the purpose of sluicing and driving logs and timber over said dam, and down and out of said river, and shall so improve said river and operate said dam and improvements that logs and timber can be driven down and out of said river with reasonable certainty, and so long as they shall maintain said dam and improvements so as to accomplish said results, they in consideration of maintaining said dam and improvements and operating the same, shall be and are hereby authorized to charge and collect of all persons owning or controlling logs or timber put into said stream for the purpose of being driven out of the same, twenty cents per thousand feet for all logs put into said said stream below said flooding dam, and thirty cents per thousand feet for all logs put into said stream between said flooding dam and the range line between township thirty-two north of ranges three and four west.

Tolls for logs driven from above dam.

SECTION 3. It shall be lawful for the said Warren Flint and Edward Porter, their associates or assigns, when they shall have improved said river in the manner before provided, whenever they shall make a drive of logs, to take possession of all logs and timber put into said river to be floated down and out of the same, which shall obstruct the navigation of said stream, the owners or agents of which shall not have made adequate provision for driving the same by furnishing the necessary men, teams and boats for making a thorough drive of said logs and timber, and to drive the same down and out of said stream and to charge and collect for such service the following rates: For all logs driven from above said flooding dam, eighty cents per thousand feet, and for all logs driven from below said flooding dam, fifty cents per thousand feet.

SECTION 4. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

To have lien for charges.

SECTION 5. For any tolls or charges herein provided which shall remain due and unpaid the said Warren Flint and Edward Porter, their associates and assigns shall have a lien upon the logs and timber upon which such tolls or charges or any part thereof shall remain unpaid, and may enforce the same in the same manner as liens on logs and timber for labor may be enforced.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 423, S.] [Published May 3, 1895.

CHAPTER 358.

AN ACT to authorize and encourage the establishment of manual training departments in connection with the high schools of the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

High schools may establish manual training departments.

SECTION 1. It shall be lawful for any high school board, or any board of education in this state having charge of a free high school, or of a high school having a course of study equivalent to the course or courses prescribed by the state superintendent for free high schools, to establish and maintain a department of manual training in connection with the schools under its control and management.

Expense of maintaining.

SECTION 2. The expense of maintaining such manual training department shall be provided for in the same manner as other expenses of maintaining high schools are provided for, by taxes assessed upon the taxable property of the territory included in the corporation, district or districts maintaining the high school in connection with which the manual training department is established, and such department shall be under the management, direction and control of the board having the management and control of the high school.

State superintendent to assist in organizing, etc., and inspect the same.

SECTION 3. It shall be the duty of the state superintendent, as far as the other duties of his office may warrant, to give such information and assistance as may seem necessary in organizing and maintaining manual training departments and in arranging schemes and outlines of work. The state superintendent, with the aid of the supervisor of high schools, shall also have general supervision of all manual training departments established and main-

tained under the provisions of this act, shall from time to time inspect the same, make such recommendations relating to the management as he may deem necessary, and in his biennial report make such report thereon as shall give full information concerning their number, character, and efficiency, and their value as an educational factor.

Qualifications of teachers.

SECTION 4. The state superintendent shall establish a standard of qualification for all teachers in manual training departments and may grant special certificates to such applicants as are in his judgment fully qualified to instruct in special lines of manual work, which certificates shall be in such form and for such time as he may prescribe, and shall be regarded as certificates legally qualifying the holders thereof to teach in any manual training department forming a part of the public school system of the state.

What schools may be placed upon approved list.

SECTION 5. Any high school whose course of study or outline of work in manual training has been approved by the state superintendent and whose teacher or teachers have been duly qualified according to section 4, of this act, may upon application be placed upon an approved list of schools maintaining manual training departments. A school once entered upon this approved list may remain there and be entitled to the special state aid hereinafter provided in this act, so long as the scope of work and its character is maintained from year to year in such a manner as to meet the approval of the state superintendent; provided, that the state superintendent shall not under the provision of this act place upon the said approved list more than ten schools.

Report, how made.

SECTION 6. On the first day of July each year the clerk of each high school board maintaining a school on the approved list, or the city superintendent of any city where such an approved school is maintained, shall make a report to the state superintendent, in such form as may be required, setting forth the facts relating to the cost of maintenance of the manual

training department, the character of the work done therein, the number and name of teachers employed therein, and the length of time such department was maintained during the year. And upon the receipt of such report, if it shall appear that the department has been maintained in a satisfactory manner for a period of not less than six months during the year ending with the date of the report, the said superintendent shall make a certificate to that effect, and file the same with the secretary of state.

Secretary of state to draw warrant for—when.

SECTION 7. Upon receiving the certificate of the state superintendent provided in section 6, of this act, the secretary of state shall immediately draw his warrant upon the state treasurer, for the sum of two hundred and fifty dollars, payable to the treasurer of the district or corporation maintaining a school which is in the list of approved schools maintaining manual training departments, and reporting as herein provided.

Appropriation.

SECTION 8. There is hereby annually appropriated out of any money in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this act, and all sums so paid for the establishment and support of manual training departments, shall be annually added to the state tax, and levied and collected as other state taxes are collected; provided, that the total amount expended under the provisions of this act shall not exceed the sum of twenty-five hundred dollars in any one year, and no aid shall be given to any school prior to July, 1896.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 659, A.] [Published May 3, 1895.

CHAPTER 359.

AN ACT to amend section 2447, of the annotated statutes of Wisconsin, relating to county courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 2447, revised statutes.

SECTION 1. Section 2447, of the annotated statutes of Wisconsin is hereby amended by adding after the word "questions," where the same appears in the eighth line of said section, the following: "Provided, that such circuit judge may, upon petition showing the necessity therefor, request any county judge outside of said county to hold court therein for the purpose of settling such estate or deciding such question. It shall be the duty of the county judge, upon such request, to attend and act in such matter so far as in his judgment the proper discharge of his duties will permit. Whenever any county judge shall be required pursuant to any law to hold court in any county other than that for which he was elected, he shall receive as compensation therefor the sum of five dollars per day in addition to his actual expenses, to be audited and paid by the county board of such county;" and by adding after the word "judge," where the same occurs in the eighth line of said section, "or county judge," so that said section when so amended shall read as follows: Section 2447. When the judge of any county court, his wife, child, parent, brother or sister shall be an heir, devisee or legatee, or when such judge shall be an executor or administrator or guardian of any ward, or interested as creditor or otherwise in any question to be decided, he shall be disqualified to act in relation to that estate, or in the decision of such question; and the judge of the circuit court

County judge outside of county may act—when—compensation.

of the same county shall perform the duties of county judge in relation to such estates, and decide such questions; provided, that such circuit judge may, upon petition showing the necessity therefor, request any county judge outside of said county to hold court therein for the purpose of settling such estate or deciding such question. It shall be the duty of the county judge upon such request to attend and act in such matter so far as in his judgment the proper discharge of his duties will permit. Whenever any county judge shall be required pursuant to any law, to hold court in any county other than that for which he was elected, he shall receive as compensation therefor the sum of five dollars per day in addition to his actual expenses, to be audited and paid by the county board of such county. Such circuit judge or county judge shall at any time, on due proof that such disability no longer exists, make an order transmitting such case, or so much thereof as shall have been referred to him, and all the papers therein, to the county court; and such county court shall thereafter perform all the remaining duties relative thereto.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 552, A.] [Published May 3, 1895.

CHAPTER 360.

AN ACT to amend section 4062, of the revised statutes of 1878, in relation to witness fees in criminal cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 4062, revised statutes of 1878.

Witnesses for defendant, how paid.

SECTION 1. Section 4062, of the revised statutes of 1878, is hereby amended so as to read as follows: Section 4062. The judge of the circuit or county court, court commissioner, municipal judge or a justice of the peace in any criminal action or proceeding to be tried or heard before him, upon satisfactory proof of the inability of the defendant to procure the attendance of witnesses for his defense, may direct such witnesses to be summoned on behalf of the defendant, as upon proof by oath or affidavit of the defendant or his attorney, he shall deem proper and necessary. And all witnesses so ordered to appear, and appearing at the trial or hearing in said action, shall be paid their fees out of the county treasury in the same manner that the witnesses for the state in such action or proceeding are paid. The fees of no other witnesses for the defendant shall be a claim on the county or the state.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 701, A.] [Published May 3, 1895.

CHAPTER 361.

AN ACT to appropriate to the Forest County Agricultural Association a sum of money therein named.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the Forest County Agricultural Association, out of any moneys in the general fund not otherwise appropriated, the sum of two hundred dollars.

Appropriation to the Forest county agricultural society.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 653, A.] [Published May 4, 1895.

CHAPTER 362.

AN ACT to amend section 3, chapter 23, of private and local laws of 1867.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 3, of the private and local laws of 1867, is hereby amended to read as follows: Section 3. The first election of trustees shall be held on the third Friday in June, 1867, at the place of holding the next yearly meeting, and annually thereafter, at such time and place as the said yearly meeting may direct, and said board, when elected as aforesaid, shall

Amending sec. 3, ch. 23, private and local laws of 1867, election of trustees, term, etc.

be divided by lot into three equal classes, numbered one, two and three; and the seats of the first class shall be vacated at the end of the first year, of the second class at the end of the second year, and of the third class at the end of the third year, to the end that thereafter, as near as may be, one-third part of the whole number of trustees may be annually chosen for the term of three years.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 666, A.] [Published April 26, 1895.

CHAPTER 363.

AN ACT to provide for the payment of licenses by street railway companies within this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Street railway companies shall pay annual license fee.

SECTION 1. Every person, company or corporation within this state, engaged in the operation, management and maintenance of a street railway, whether operated by animal or other power, shall pay as hereinafter provided an annual license fee.

Secretary to file statement of gross receipts.

SECTION 2. It shall be the duty of the secretary of every company or corporation referred to in section 1, of this act, and of every person operating or maintaining a street railway, to file on the first day of December of each year, with the treasurer of the city or village from and through which its franchise is derived, a true and correct statement of the gross receipts of said street railway company, derived or accruing from the maintenance and operation of a street railway during the preceding

twelve months. Such statement shall be duly verified by the oath of such person, or one of the general officers of such company.

To pay percentage to city treasurer.

SECTION 3. On or before the first day of February, 1896, and on each succeeding first day of February, every such street railway company shall pay to the treasurer of such city, village or other municipality, a sum of money equal to the percentage of its gross receipts as is provided in this act, and which sum when so paid shall constitute a portion of the funds of such city, village or municipality.

Penalty for neglect to file statement.

SECTION 4. If any such person or corporation doing business within this state shall wilfully neglect or refuse for the period of ten days after the first day in February in each year so to file a verified statement as hereinbefore provided and required each and every of the general officers of such company or corporation, and every person operating any such street railway not incorporated so in default, shall be guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding six months, or both such fine and imprisonment in the discretion of the court.

Rights of action.

SECTION 5. In case any person, company or corporation doing business within this state as hereinbefore provided shall neglect to pay such license fee for the period of ten days next succeeding the first day of February in any year, the city or village or other municipality to which such license fee is due under the provisions of this act, shall have the right of action against any such corporation.

License fee in lieu of all other taxes.

SECTION 6. Such license fee shall be based upon the gross receipts of such person, company or corporation from its street railway passenger business; and shall be in lieu of all other taxes, assessments and licenses of any such corporation, and all personal property, franchises and real estate owned by such company or corporation shall be exempt from assessment and taxation; except that all land or

lots unimproved or having buildings thereon owned by any such person, company or corporation shall be liable to taxation for state, county and school purposes.

License fee, how calculated.

SECTION 7. The license fee mentioned in this act shall be calculated upon the gross receipts of said person, company or corporation aforesaid, as follows: One per cent. on the first two hundred and fifty thousand dollars of its gross receipts; one and one-half per cent. upon the gross receipts over two hundred fifty thousand dollars and not exceeding five hundred thousand dollars, and two per cent. on all amounts over five hundred thousand dollars.

Operated in two or more municipalities.

SECTION 8. In case any person, company or corporation affected by this act shall operate a line of railway in two or more municipalities, in such case it shall pay to each of such municipalities a proportionate share of the taxes mentioned herein, based upon the number of miles of railroad operated by said railway company within each such municipality; provided, however, that when any person, company or corporation operates and maintains a street railway within the limits of any city, and its line extends outside of the limits of said city, into towns or villages in the neighborhood, the division of such tax between such said several municipalities shall be made upon a mileage basis as aforesaid; but that in such divisions, said city where such principal portion of the railway is maintained shall receive three portions of such tax for every mile within its boundaries, to one portion in the neighboring towns and villages as aforesaid.

Nine per cent. of license fee to be paid to county treasurer.

SECTION 9. The treasurer of each such municipality shall pay on or before March 1, in each year to the treasurer of the county in which such municipality is located, nine per cent. of the license fee so collected as a just and proper proportion of the amount thereof to be applied as state and county tax, and the county treasurer shall pay on or before April 1, in each year to the state treasurer one-third of the amount so received by him, as a just and proper pro-

portion of such license fee to be applied as state tax.

SECTION 10. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 10, A.] [Published May 3, 1895.

CHAPTER 364.

AN ACT to provide for a state board of arbitration and conciliation for the settlement of differences between employers and their employes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State board of arbitration and conciliation to be appointed by the governor.

SECTION 1. The governor of the state shall within sixty days after the passage and publication of this act appoint three competent persons in the manner hereinafter provided, to serve as a state board of arbitration and conciliation. One of such board shall be an employer, or selected from some association representing employers of labor; one shall be selected from some labor organization and not an employer of labor; and the third shall be appointed upon the recommendation of the other two; provided, however, that if the two appointed by the governor as herein provided do not agree upon the third member of such board at the expiration of thirty days, the governor shall appoint such third member. The members of said board shall hold office for the term of two years and until their successors are appointed. If a vacancy occurs at any time the governor shall appoint a member of such board to serve out the unexpired term,

and he may remove any member of said board. Each member of such board shall before entering upon the duties of his office be sworn to support the constitution of the United States, the constitution of the state of Wisconsin, and to faithfully discharge the duties of his office. Said board shall at once organize by the choice of one of their number as chairman and another as secretary.

Board shall establish rules of procedure

SECTION 2. Said board shall as soon as possible after its organization establish such rules of procedure as shall be approved by the governor and attorney-general.

Board upon application shall visit locality of dispute between employer and employe, to settle differences.

SECTION 3. Whenever any controversy or difference not the subject of litigation in the courts of this state exists between an employer, whether an individual, co-partnership or corporation, and his employes, if at the time he employs not less than twenty-five persons in the same general line of business in any city, village or town in this state, said board shall upon application as hereinafter provided, and as soon as practicable thereafter, visit the locality of the dispute and make careful inquiry into the cause thereof, hear all persons interested therein who may come before them, advise the respective parties what, (if anything,) should be done or submitted to by either or both to adjust said dispute, and make a written decision thereof. This decision shall at once be made public, shall be published in two or more newspapers published in the locality of such dispute, shall be recorded upon proper books of record to be kept by the secretary of said board, and a succinct statement thereof published in the annual report hereinafter provided for, and said board shall cause a copy of such decision to be filed with the clerk of the city, village or town where said business is carried on.

Decisions to be made public.

By whom said application shall be signed and what to contain.

SECTION 4. Said application shall be signed by said employer, or by a majority of his employes in the department of the business in which the controversy or difference exists, or their duly authorized agent, or by both parties,

and shall contain a concise statement of the grievances complained of and a promise and agreement to continue in business or at work without any lockout or strike until the decision of said board; provided, however, that said board shall render its decision within thirty days after the date of filing such application. As soon as may be after the receipt of said application the secretary of said board shall cause public notice to be given of the time and place for the hearing thereof; but public notice need not be given when both parties to the controversy join in the application and request in writing that no public notice be given. When notice has been given as aforesaid the board may in its discretion appoint two expert assistants to the board, one to be nominated by each of the parties to the controversy; provided, that nothing in this act shall be construed to prevent the board from appointing such other additional expert assistants as they may deem necessary. Such expert assistants shall be sworn to the faithful discharge of their duty, such oath to be administered by any member of the board. Should the petitioner, or petitioners, fail to perform the promise and agreement made in said application, the board shall proceed no further thereupon without the written consent of the adverse party. The board shall have power to subpoena as witnesses any operative in the departments of business affected by the matter in controversy, and any person who keeps the records of wages earned in such departments and to examine them under oath, and to require the production of books containing the record of wages paid. Subpoenas may be signed and oaths administered by any member of the board.

Expert assistants may be employed—shall be sworn.

Witnesses may be subpœnaed

SECTION 5. The decision of the board herein provided for shall be open to public inspection, shall be published in a biennial report to be made to the governor of the state with such recommendations as the board may deem proper, and shall be printed and distributed according to the provisions governing the printing and distributing of other state reports.

Decision of board shall be open to public inspection.

Decision shall be binding.

SECTION 6. Said decision shall be binding upon the parties who join in said application for six months, or until either party has given the other notice in writing of his intention not to be bound by such decision from and after the expiration of sixty days from the date of said notice. Said notice may be given by serving the same upon the employer or his representative, and by serving the same upon the employes by posting the same in three conspicuous places in the shop, factory, yard or upon the premises where they work.

Local boards of arbitration.

SECTION 7. The parties to any controversy or difference as described in section 3 of this act may submit the matters in dispute in writing to a local board of arbitration and conciliation; said board may either be mutually agreed upon or the employer may designate one of such arbitrators, the employes or their duly authorized agent another, and the two arbitrators so designated may choose a third, who shall be chairman of such local board; such board shall in respect to the matters referred to it have and exercise all the powers which the state board might have and exercise, and its decision shall have such binding effect as may be agreed upon by the parties to the controversy in the written submission. The jurisdiction of such local board shall be exclusive in respect to the matters submitted to it, but it may ask and receive the advice and assistance of the state board. Such local board shall render its decision in writing within ten days after the close of any hearing held by it, and shall file a copy thereof with the secretary of the state board. Each of such local arbitrators shall be entitled to receive from the treasurer of the city, village or town in which the controversy or difference that is the subject of arbitration exists, if such payment is approved in writing by the mayor of such city, the board of trustees of such village, or the town board of such town, the sum of three dollars for each day of actual service not exceeding ten days for any one arbitration.

How paid.

SECTION 8. Whenever it is made to appear to the mayor of a city, the village board of a village, or the town board of a town, that a strike or lockout such as is described in section 9, of this act, is seriously threatened or actually occurs, the mayor of such city, or the village board of such village, or the town board of such town, shall at once notify the state board of such facts, together with such information as may be available.

State board to be notified when strike or lockout is threatened.

SECTION 9. Whenever it shall come to the knowledge of the state board by notice as herein provided, or otherwise, that a strike or lockout is seriously threatened, or has actually occurred, which threatens to or does involve the business interests of any city, village or town of this state, it shall be the duty of the state board to investigate the same as soon as may be and endeavor by mediation to effect an amicable settlement between employer and employes, and to endeavor to persuade them, provided a strike or lockout has not actually occurred or is not then continuing, to submit the matters in dispute to a local board of arbitration and conciliation as herein provided for, or to the state board. Said state board may if it deems advisable investigate the cause or causes of such controversy, ascertain which party thereto is mainly responsible or blameworthy for the existence or continuance of the same, and may make and publish a report finding such cause or causes and assigning such responsibility or blame.

Duty of board when so notified.

SECTION 10. Witnesses subpoenaed by the state board shall be allowed for their attendance and travel the same fees as are allowed to witnesses in the circuit courts of this state. Each witness shall certify in writing the amount of his travel and attendance, and the amount due him upon approval by the board shall be paid out of the state treasury.

Witnesses' fees.

SECTION 11. The members of the state board shall receive the actual and necessary expenses incurred by them in the performance of their duties under this act, and the further sum of

Compensation of board.

five dollars a day each for the number of days actually and necessarily spent by them, the same to be paid out of the state treasury.

SECTION 12. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 391, S.] [Published May 3, 1895.

CHAPTER 365.

AN ACT authorizing counties containing a population of over two hundred thousand inhabitants to erect an armory for the use of the Wisconsin National Guard.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Authorizing counties of over 200,000 inhabitants to erect armory.

SECTION 1. The board of supervisors of any county having a population of over two hundred thousand inhabitants in which all or a majority of the officers and enlisted men of any regiment of the Wisconsin National Guard reside may erect a suitable armory for the purpose of drill and for the safe keeping of the arms, equipments, uniforms and other military property furnished by the state, and for public meetings and conventions when such use will not interfere with the use of such building by the national guard, plans and specifications for which armory shall be inspected and approved by the governor, adjutant-general and quartermaster-general, who shall file with the board of supervisors of such county a certificate of such inspection and approval prior to the erection thereof.

Expense of armories, how paid.

SECTION 2. The expense of armories, including the necessary care, fuel and lights shall be

paid by the county wherein all or a majority of the officers and enlisted men of any regiment of the Wisconsin National Guard reside. For the purpose of paying the expense of maintaining armories, as aforesaid, the board of supervisors of such county shall appropriate and allow the necessary amount quarterly each year, and said boards are hereby authorized and required to make such levy as will be sufficient to pay said expenses.

Money heretofore or hereafter paid for rent shall be paid by state treasurer to county treasurer.

SECTION 3. All money heretofore or which may be hereafter appropriated or directed to be paid to any company located in any county erecting or providing such armory building, for the purpose of paying rent, shall be paid by the treasurer of the state of Wisconsin directly to the county treasurer of said county, instead of to the officers of the different companies, which money shall be received by said county as payment in full for the use and maintenance of said building, as herein provided.

Board of supervisors may purchase land and build armories as other county buildings are built.

SECTION 4. The board of supervisors of any county in which all or a majority of the officers and enlisted men of any regiment of the Wisconsin National Guard reside may purchase land and build armories in the same manner as they are now authorized by law to build other county buildings, and when unable to agree upon the price of land with its owner, may, if in their opinion necessary, appropriate land for the purpose of building armories in the same manner as they are now authorized by law to appropriate real estate for other county buildings.

To be under control of governor and quartermaster-general and regimental commander.

SECTION 5. Such armory, when erected, shall be under the control and charge of the governor, the quartermaster-general and commanding officer of the regiment of the Wisconsin National Guard for which it has been provided, and the said commanding officer shall cause to be deposited therein all arms, uniforms and equipments received from time to time for the use of the command. Such governor, quartermaster-general and regimental command may from time to time make such

be divided by lot into three equal classes, numbered one, two and three; and the seats of the first class shall be vacated at the end of the first year, of the second class at the end of the second year, and of the third class at the end of the third year, to the end that thereafter, as near as may be, one-third part of the whole number of trustees may be annually chosen for the term of three years.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 666, A.] [Published April 26, 1895.

CHAPTER 363.

AN ACT to provide for the payment of licenses by street railway companies within this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Street railway companies shall pay annual license fee.

SECTION 1. Every person, company or corporation within this state, engaged in the operation, management and maintenance of a street railway, whether operated by animal or other power, shall pay as hereinafter provided an annual license fee.

Secretary to file statement of gross receipts.

SECTION 2. It shall be the duty of the secretary of every company or corporation referred to in section 1, of this act, and of every person operating or maintaining a street railway, to file on the first day of December of each year, with the treasurer of the city or village from and through which its franchise is derived, a true and correct statement of the gross receipts of said street railway company, derived or accruing from the maintenance and operation of a street railway during the preceding

twelve months. Such statement shall be duly verified by the oath of such person, or one of the general officers of such company.

To pay percentage to city treasurer.

SECTION 3. On or before the first day of February, 1896, and on each succeeding first day of February, every such street railway company shall pay to the treasurer of such city, village or other municipality, a sum of money equal to the percentage of its gross receipts as is provided in this act, and which sum when so paid shall constitute a portion of the funds of such city, village or municipality.

Penalty for neglect to file statement.

SECTION 4. If any such person or corporation doing business within this state shall wilfully neglect or refuse for the period of ten days after the first day in February in each year so to file a verified statement as hereinbefore provided and required each and every of the general officers of such company or corporation, and every person operating any such street railway not incorporated so in default, shall be guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding six months, or both such fine and imprisonment in the discretion of the court.

Rights of action.

SECTION 5. In case any person, company or corporation doing business within this state as hereinbefore provided shall neglect to pay such license fee for the period of ten days next succeeding the first day of February in any year, the city or village or other municipality to which such license fee is due under the provisions of this act, shall have the right of action against any such corporation.

License fee in lieu of all other taxes.

SECTION 6. Such license fee shall be based upon the gross receipts of such person, company or corporation from its street railway passenger business; and shall be in lieu of all other taxes, assessments and licenses of any such corporation, and all personal property, franchises and real estate owned by such company or corporation shall be exempt from assessment and taxation; except that all land or

a mutual agreement on such company and such municipality, and the respective county board, town board, village board, or board of trustees, or common council of such municipality, shall after such proposition shall have been on file with the clerk of such county board, town board, village board, board of trustees or common council at least ten days, cause subscriptions to be made on the books of such company for such stock and bonds thereof as were proposed to be issued, and shall provide by ordinance or resolution for executing and issuing such bonds of the municipality, in accordance with such agreement, by the proper officers; and the deposit of the same in escrow, if it be so agreed. But no such bonds shall be delivered, or be valid if delivered, until the road, to aid in the construction of which such bonds were voted, shall have been completed and in operation, by the passage of cars continuously from one terminus to such points as such company shall have agreed to construct the same, in consideration thereof. But if such municipality shall have voted for such railroad proposition, and shall have subscribed for such stock or bonds of such company, and in reliance thereon such company shall have faithfully performed its agreement, no defects or irregularities in any of the proceedings preliminary to such election shall invalidate such agreement, or release such municipality or any officer thereof from the obligation and duty to carry out the same.

When bonds may be delivered.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 247, S.] [Published May 3, 1895.

CHAPTER 367.

AN ACT to amend section 1170, of the revised statutes as amended by section 3, of chapter 95, of the laws of 1879, chapter 306, of the laws of 1885, and chapters 186 and 446, of the laws of 1887, relating to the publication of notice of expiration of time to redeem from tax sales.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 1170, revised statutes.

SECTION 1. Section 1170, of the revised statutes, as amended by section 3, of chapter 95, of the laws of 1879, chapter 306, of the laws of 1885, and chapters 186 and 446, of the laws of 1887, is hereby amended so as to read as follows:

Notice of expiration of time to redeem from tax sales, how given.

Section 1170. Each county clerk shall at least six and not more than ten months before the expiration of the time limited for redeeming lands sold as aforesaid cause to be published in a newspaper printed in the county in which said lands are located, if there be such a newspaper, and if there is none, then in a newspaper, printed in an adjoining county, if there be one; but if there be no newspaper printed in the same or in an adjoining county, then in the official state paper, once a week for twelve successive weeks, a list of all unredeemed lands, specifying each tract or lot, the name of the person to whom assessed, if to any, and the amount of taxes, charges and interest, calculated to the last day of redemption, due on each parcel, together with a notice that unless such lands be redeemed on or before the day limited therefor specifying the same, they will be conveyed to the purchaser, but it shall be lawful for any such county clerk to publish any such list and notice in any newspaper that has been regularly and continuously published once in each week for at least two years before the

date of such notice, except that in counties organized since the first day of January, 1893, in which such counties it shall be lawful for any such county clerk to publish any such list and notice in any newspaper that has been regularly and continuously published once in each week for at least six months before the date of such notice, within the limits of said county as existing at the time such publication begins, if there be a newspaper which has been so published in said county; and any county clerk who shall violate this provision shall forfeit not less than two hundred nor more than one thousand dollars. Before publishing such list, such county clerk shall carefully compare the county treasurer's advertised list of lands to be sold for delinquent taxes with the county treasurer's list of the same lands in his book of sales; and if upon such examination there be found any omission or erroneous description in said advertised list, such parcel of land, in the description of which the omission or error shall occur, shall not be advertised for redemption; but the said county clerk shall cancel the certificate of sale of said parcel of land and shall return the corrected description of the same to the county treasurer, who shall re-advertise and sell the same at the next ensuing sale of lands for unpaid taxes; provided, however, that if the number of the descriptions of the list of lands to be advertised for redemption by the county clerk shall exceed three thousand, the said county clerk shall then let by contract the publication of such list to the lowest bidder upon a notice, written or printed, to be delivered to and left with the publisher or one of the publishers of each newspaper printed as aforesaid, at least ten days prior to the time at which such contract shall be let; and any county clerk who shall willfully refuse or negect to perform any duty required by this seceion, or who shall keep back and not report any unredeemed lands for the purpose of evading the provisions of this section shall forfeit the full amount of the penalty of his official bond, one-half of which when

Duty of county clerks.

When to let publication of list by contract.

Penalty.

collected, shall be paid to the person prosecuting therefor, and the residue shall be paid into the treasury of the county for the use of the school fund; provided, further, that no county clerk shall be liable to any penalty or to the forfeiture of any sum whatever for causing such publication to be made in a weekly newspaper published in such county for the length of time hereinbefore named prior to the date of such county clerk's notice, when by reason of accident or other cause more than one week has intervened between the dates of its actual issue to subscribers, if such delay at any one time shall not have exceeded three days. But every such newspaper, for the purpose of this section, shall be deemed to have been regularly published once in each week as hereinbefore provided.

SECTION 2. All laws or parts of laws conflicting with any of the provisions of this act are hereby repealed so far as they conflict with the provisions of this act and no farther. Repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

NO. 573, A.] [Published April 24, 1895.

CHAPTER 368.

AN ACT to provide for the manner of asking and receiving bids for public work or improvements ordered by the common council of any city of the first class in the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever the laying and building of any sewer or the grading or making of

Board of public works to advertise for bids for publ c works or improvements.

any street or alley shall be ordered by the common council of any city of the first class as classified in chapter 40 of Sanborn and Berryman's annotated statutes of the state of Wisconsin, and by chapter 238, laws of 1895, the board of public works of said city shall advertise for proposals for doing the same, a plan or profile of the work to be done, accompanied with specifications for doing the same, or other appropriate and sufficient description of the work required to be done and of the kinds and quality of material to be furnished being first placed on the file in the office of said board of public works for the information of bidders and others. Such advertisements shall be published at least six days in the official city papers, and shall state the work to be done and the time for doing the same, which time shall in all cases be such a reasonable time as may be necessary to enable a contractor with proper diligence to perform and complete such work.

Proposals to accompanied by at least 15 per cent of estimated cost.

SECTION 2. All proposals for such work shall be sealed and directed to such board of public works and shall be accompanied at the time of such bid or proposal with a sum of money equal to at least fifteen per cent. of the amount of the engineer's estimate of the cost of such work. as the board of public works in such advertisement may direct, under an agreement that such sum of money shall be returned to such bidder in case the contract for the work bid for is not awarded to such bidder, or which sum of money shall also be returned to such bidder in case such bidder will execute the contract for such work pursuant to his bid and accompany such contract with good and sufficient bond with satisfactory sureties in case the contract is awarded to such bidder, and also that in case the contract is so awarded and he shall [fail] to execute a bond with satisfactory sureties to perform the work specified for the price named in his bid within a reasonable time after such contract is prepared and ready for execution, then such sum of money shall become the property of said city as fixed and liquidated damages for

Contractor to give bond

such default, and shall be paid by said board to the city treasurer of such city. All bids unless fulfilling the requirements of this act shall be rejected.

SECTION 3. All acts or parts of acts contravening the provisions of this act are hereby repealed. Repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 603, A.] [Published May 4, 1895.

CHAPTER 369.

AN ACT to enable Burnett and Washburn counties to receive certain moneys paid into the state treasury, pursuant to chapter 197, laws of 1879.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Whereas, By chapter 197, of the laws of 1879, the St. Cloud, Grantsburg and Ashland Railroad company was required to pay into the state treasury, for a period of fifteen years, five per centum of its gross earnings; and, Preamble.

Whereas, By section 3, of that act, it was made the duty of the state treasurer upon the receipt of said money in each year to endorse the amount so received upon the bonds of said county of Burnett, held by the state; and,

Whereas, Said Burnett county as it existed at the time of the passage of said chapter 197 has since been divided, and the county of Washburn organized and created out of a portion of its territory; and,

Whereas, Said indebtedness of said county was divided so that the county of Washburn assumed to pay the sum of ten thousand seven hundred and seventy-four dollars and one cent, and the county of Burnett retained and assumed to pay the sum of four thousand one hundred and thirty-nine dollars and forty-five cents, and each of said counties issued certificates of indebtedness to the state for the respective sums above given, and which certificates were deposited in lieu of the bonds of said Burnett county; and,

Whereas, Said counties have each heretofore by direct tax paid its proportion of said indebtedness, so that there is no longer in the possession of the state treasurer any bonds or certificates of indebtedness upon which to endorse the money so received according to the provisions of chapter 197, of the laws of 1879.

Appropriation to Burnett and Washburn counties.

SECTION 1. The state treasurer is hereby authorized and directed to pay over to the counties of Burnett and Washburn their respective proportions of the moneys heretofore paid into the state treasury or hereafter to be paid into the state treasury under and by virtue of the provisions of chapter 197, of the laws of 1879, not heretofore credited or paid to said counties or either of them, so that each of said counties will receive the same benefit as if their certificates of indebtedness so issued had not been otherwise paid.

Secretary of state to draw warrant for amount due said counties.

SECTION 2. The secretary of state is hereby authorized and directed to draw his warrant upon the state treasurer for any moneys due to the said counties in accordance with the provisions of chapter 197, of the laws of 1879, in their favor for said sums and for any sums that shall hereafter be paid into the state treasury by reason of the provisions of said act, in the same proportion as the amount of indebtedness assumed and paid by each county bears to each other.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 181, A.] [Published May 2, 1895.

CHAPTER 370.

AN ACT to amend section 4381, of Sanborn and Berryman's annotated statutes of Wisconsin, as amended by chapter 350, of the general laws of 1891, and section 4382, of Sanborn and Berryman's annotated statutes of Wisconsin, relating to the crime of rape.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 4382, R. S., as amended.

SECTION 1. Section 4382, of the annotated statutes of Wisconsin, is hereby amended by striking out the word "twelve" where the same appears in the third line of said section and inserting in lieu thereof the word 'fourteen," so that said section when so amended shall read as follows: Section 4382. Any person who shall unlawfully and carnally know and abuse any female under the age of fourteen years, shall be punished by imprisonment in the state prison not less than five years nor more than thirty-five years.

Penalty for rape of female under the age of fourteen years.

Penalty for rape of female of fourteen years of age or more.

SECTION 2. Section 4381, of Sanborn and Berryman's annotated statutes, as amended by chapter 350, of the general laws of 1891, is hereby amended so as to read as follows: Section 4381. Any person who shall ravish and carnally know any female of the age of fourteen years or more, by force and against her will, shall be punished by imprisonment in the state prison not more than thirty years nor less than ten years; but if the female shall be proven on the trial to have been, at the time of the offense, a common prostitute, he shall be punished by imprisonment in the state prison not more than seven years, nor less than one year.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 464, A.] [Published May 4, 1895.

CHAPTER 371.

AN ACT to amend chapter 33, of the general laws of Wisconsin of the year 1893, entitled "An act to create and establish a superior court in and for Douglas county, Wisconsin," as amended by chapter 301, laws of 1893.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending ch. 33, laws of 1893.

SECTION 1. Section 2, of chapter 33, of the laws of 1893, is hereby further amended by inserting after the word "equity," where it appears in the twenty-first line of said section, the words "and in all special proceedings," so that said section when so amended shall read as follows: Section 2. "Said superior court shall have and may exercise powers and jurisdiction concurrent and equal with the circuit court of said Douglas county, in all cases of crimes and misdemeanors arising in said county, except murder, and appellate jurisdiction of all crimes and misdemeanors tried before the judge of the municipal court or justices of the peace in said county, in the same manner as now provided by law for appeals to the circuit court in such cases. Said superior court shall have exclusive appellate jurisdiction in all cases of appeal from the municipal and justices' courts in said county in all civil actions and in all actions commenced in said courts where an answer shall be put in showing that the title to lands will come in question, all of which cases shall be certified and all official returns made to said superior court in the manner prescribed by law, and said court shall have and exercise powers and jurisdiction in all civil actions and proceedings in law and equity and in all special proceedings, except as to actions and proceedings under chapter 151, of the revised statutes, concurrent with and

Jurisdiction concurrent with circuit court in some cases.

Appellate jurisdiction.

General jurisdiction.

equal to the jurisdiction of the circuit court of Douglas county, when the value of the property in controversy or the amount of money claimed or sought to be recovered after deducting all payments and set-offs shall not exceed five million dollars, and of all actions for divorce and for affirmance or annulment of the marriage contract. The presiding judge thereof shall have and exercise the powers of a circuit judge at chambers as of all actions or proceedings in said superior court.

Amount in controversy not to exceed five million dollars.

Presiding judge—powers of.

SECTION 2. Section 6, of said chapter is hereby amended by inserting after the word "civil" in the third line thereof the words "and criminal," so that said section when so amended shall read as follows: Section 6. The general provisions of law which may at any time be in force relating to the circuit courts, and to civil and criminal actions and proceedings therein, shall relate to said superior court, unless inapplicable, and except as herein otherwise provided; and the rules of practice prescribed by law and the justices of the supreme court for circuit courts, shall be in force in said superior court. Court commissioners in said county shall have the same powers and be subject to the same duties in respect to actions and proceedings in said superior court as in the circuit court.

Laws and rules relating to circuit courts to apply.

Court commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 721, A.] [Published May 2, 1895.

CHAPTER 372.

AN ACT granting the consent of the state of Wisconsin for the United States of America to acquire certain land within the state of Wisconsin.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

State grants consent to acquisition of lands by United States.

SECTION 1. That the state of Wisconsin hereby consents to the acquisition by the United States of America of all lands and appurtenances in the state heretofore legally acquired, or that may be hereafter legally acquired, by purchase or condemnation, for the purpose of erecting thereon dams, abutments, locks, lock-keepers dwellings, chutes, and other structures, necessary in improving the navigation of the rivers and waters within, and on the borders of the state of Wisconsin; and the said United States shall have, hold, use, and occupy said lands, buildings and other property, and shall exercise exclusive jurisdiction and control over the same, and shall hold the same exempt from all state, county, and municipal taxation; but the said state of Wisconsin reserves the right to execute civil and criminal process, lawfully issued under its authority, within and upon said lands.

Rights reserved.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 59, S.] [Published May 2, 1895.

CHAPTER 373.

AN ACT relating to the compensation of committees of county boards within the state, and amendatory of section 668, of the revised statutes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 668, of the revised statutes is hereby amended so as to read as follows: Section 668. Any county board may, by resolution designating the purposes and prescribing the duties thereof and manner of reporting, authorize their chairman to appoint before the first day of November in any year a committee or committees from the members of the county board elect; and the committees so appointed shall perform the duties and report as prescribed in such resolution. The members of such committee shall receive such compensation for their services as the county board shall allow, not exceeding the per diem and mileage allowed to members of the county board, but no supervisor shall be allowed pay as a member of any such committee for more than twenty days in any one year, nor for mileage except in connection with such services performed within the time herein limited. Provided, this shall not apply to committees appointed to have charge of the erection of court houses, jails or other county buildings. Provided, further, that no member shall draw for committee work done while county board is in session.

Amending sec. 668, R. S.—Appointment of committees.

Compensation.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 178, S.] [Published May 2, 1895.

CHAPTER 374.

AN ACT providing for keeping sidewalks clear of snow and ice in cities and villages incorporated under special charters, and collecting the expense thereof.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Common council of cities and trustees of villages to keep sidewalks clean of snow and ice.

SECTION 1. The common council of every city and the board of trustees of every village incorporated under any special charter may cause the sidewalks within such cities and villages to be kept clear of snow and ice and the expense thereof be charged as a special tax against the abutting lots or parcels of land, when the owner or occupant fail to keep the same clean. It shall be lawful for the common council of such city and the board of trustees of such village, by ordinance, to designate some officer whose duty it shall be to keep the sidewalks clear of snow and ice in all cases where the owner or occupants of abutting lots or parcels of land fail to do so.

In cases where owner or occupant fail to do so.

Duties of officers.

SECTION 2. It shall be the duty of the officer designated as provided in the preceding section, under such rules or ordinance as the common council or board of trustees may make therefor, to keep the sidewalks in such city or village clear of snow and ice in all cases where the owners or occupants of abutting lots fail to do so, and the expense of clearing the snow or ice from sidewalks in front (and along the side of a corner lot or parcel of land) of any such lot or parcel of land shall be a lien thereon. And said officer shall keep an account of such expense and make a report of the same to the city or village clerk, who shall enter the amount therein charged to each lot or parcel of land in the next or subsequent tax roll, as a special tax against said lot or parcel

of land, and the same shall be collected in all respects like other city or village taxes upon real estate, and no lot or parcel of land in such city or village shall be exempt from the payment thereof.

Not to be construed to prohibit fine.

SECTION 3. This act shall not be construed as prohibiting the authorities from imposing a fine or penalty in addition to the collecting of the expenses for neglecting to keep such sidewalks clear of snow and ice.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 271, S.] [Published May 2, 1895.

CHAPTER 375.

AN ACT to amend chapter 119, laws of 1879, relieving the trustees of the Wisconsin Soldiers' Orphans' Home of further duty and responsibility appertaining to their trust and abolishing the board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Colwert K. Pier directed to sell certain land.

SECTION 1. Colwert K. Pier, secretary of the board of trustees of the Wisconsin Soldiers' Orphans' Home, is hereby authorized and directed to sell and dispose of a piece of land containing about three acres, situated in the city of Fond du Lac, heretofore purchased by said board of trustees, the title to same being taken and still in trust and in the name of the state of Wisconsin, and when such sale is made and approved by the governor of the state of Wisconsin to execute a deed of same to the purchaser or purchasers transferring to the grantors of such deed all the title held by the state when the net pro-

Whereas, Said indebtedness of said county was divided so that the county of Washburn assumed to pay the sum of ten thousand seven hundred and seventy-four dollars and one cent, and the county of Burnett retained and assumed to pay the sum of four thousand one hundred and thirty-nine dollars and forty-five cents, and each of said counties issued certificates of indebtedness to the state for the respective sums above given, and which certificates were deposited in lieu of the bonds of said Burnett county; and,

Whereas, Said counties have each heretofore by direct tax paid its proportion of said indebtedness, so that there is no longer in the possession of the state treasurer any bonds or certificates of indebtedness upon which to endorse the money so received according to the provisions of chapter 197, of the laws of 1879.

Appropriation to Burnett and Washburn counties.

SECTION 1. The state treasurer is hereby authorized and directed to pay over to the counties of Burnett and Washburn their respective proportions of the moneys heretofore paid into the state treasury or hereafter to be paid into the state treasury under and by virtue of the provisions of chapter 197, of the laws of 1879, not heretofore credited or paid to said counties or either of them, so that each of said counties will receive the same benefit as if their certificates of indebtedness so issued had not been otherwise paid.

Secretary of state to draw warrant for amount due said counties.

SECTION 2. The secretary of state is hereby authorized and directed to draw his warrant upon the state treasurer for any moneys due to the said counties in accordance with the provisions of chapter 197, of the laws of 1879, in their favor for said sums and for any sums that shall hereafter be paid into the state treasury by reason of the provisions of said act, in the same proportion as the amount of indebtedness assumed and paid by each county bears to each other.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 181, A.] [Published May 2, 1895.

CHAPTER 370.

AN ACT to amend section 4381, of Sanborn and Berryman's annotated statutes of Wisconsin, as amended by chapter 350, of the general laws of 1891, and section 4382, of Sanborn and Berryman's annotated statutes of Wisconsin, relating to the crime of rape.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 4382, R. S., as amended.

SECTION 1. Section 4382, of the annotated statutes of Wisconsin, is hereby amended by striking out the word "twelve" where the same appears in the third line of said section and inserting in lieu thereof the word 'fourteen," so that said section when so amended shall read as follows: Section 4382. Any person who shall unlawfully and carnally know and abuse any female under the age of fourteen years, shall be punished by imprisonment in the state prison not less than five years nor more than thirty-five years.

Penalty for rape of female under the age of fourteen years.

Penalty for rape of female of fourteen years of age or more.

SECTION 2. Section 4381, of Sanborn and Berryman's annotated statutes, as amended by chapter 350, of the general laws of 1891, is hereby amended so as to read as follows: Section 4381. Any person who shall ravish and carnally know any female of the age of fourteen years or more, by force and against her will, shall be punished by imprisonment in the state prison not more than thirty years nor less than ten years; but if the female shall be proven on the trial to have been, at the time of the offense, a common prostitute, he shall be punished by imprisonment in the state prison not more than seven years, nor less than one year.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

tices and papers are served in the circuit courts," so that when amended said section will read as follows: Section 3877. Every such order or notice of such hearing in the form and manner prescribed in section 4050, shall be published at least three successive weeks before the day fixed for a hearing, in a newspaper as provided in section 4045; and a copy thereof shall be served personally on all persons interested in the estate and residing in the county in which such application is made, at least twenty days before such day, and on the attorney of all persons who have appeared in the proceedings herein in the same manner as notices and papers are served in the circuit courts; but the notice may be dispensed with if all persons interested in the estate shall signify in writing their assent to such mortgage, lease or sale.

Notice of hearing.

Amending sec. 3931, R. S.

SECTION 2. Section 3931, of the revised statutes, is hereby amended by inserting after the word "five" where it occurs in the seventh line of said section the words: "And such notice shall be served upon the attorneys of all persons, who have appeared in the proceedings herein in the same manner as notices are now served in the circuit courts," so that said section when so amended shall read as follows: Section 3931. Before the administration account of any executor or administrator shall be allowed, notice shall be given to all persons interested, of the time and place of examining and allowing the same. Such notice may be given personally to such persons as the court shall judge to be interested and by order direct to be notified; or by publication for three successive weeks before the day fixed for hearing in a newspaper as directed in section 4045. And such notice shall be served upon the attorneys of all persons who have appeared in the proceedings herein in the same manner as notices are now served in the circuit courts.

Notice to be given before account allowed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 380, S.] [Published May 2, 1895.

CHAPTER 378.

AN ACT to amend section 3722, Sanborn and Berryman's annotated statutes, relating to garnishment in justices' courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Amending sec. 3722, Sanborn and Berryman's statutes relating to trial if garnishee's answer unsatisfactory.

SECTION 1. Section 3722, of Sanborn and Berryman's annotated statutes of the state of Wisconsin, is hereby amended so as to read as follows: Section 3722. If the plaintiff shall not be satisfied with the answer of the garnishee, or if either party shall desire a trial, the justice shall enter that fact on his docket, and the case shall forthwith be proceeded with and tried upon the issue formed by the affidavit and answer, as in other actions commenced by summons, and if, upon the trial of any such issue, property or effects, not by law exempt from seizure upon attachment or execution, shall be found in the hands of the garnishee, or it shall be found that such garnishee was indebted to the defendant, and that such indebtedness was not exempt, the justice or jury shall assess the value thereof, and the garnishee shall hold the same, subject to the further order of the justice; but if, upon such trial, it shall be found that the property or effects in the hands of the garnishee, or the indebtedness of the garnishee to the defendant, is exempt from seizure on execution or attachment, the justice shall forthwith enter an order in his docket discharging the garnishee; and if it shall be found that any part of such property or effects, or such indebtedness, is exempt, the justice shall enter an order in his docket discharging the garnishee from all liability to the plaintiff as to the property or effects, or the amount of the indebtedness so found to be exempt.

Either party may appeal.

SECTION 2. Either party may appeal from such finding and order to the same court to which an appeal might be taken from a judgment in the action, but such appeal must be taken separately from any appeal from such judgment.

SECTION 3. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 362, S.] [Published May 2, 1895.

CHAPTER 379.

AN ACT to provide pensions for the members of the paid fire and police departments and to the widows and minor children of deceased members in cities having a population of one hundred and fifty thousand and over in certain cases and to repeal conflicting laws.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Fire and police commissioners to decide all applications.

SECTION 1. The board of fire and police commissioners in any city having a population of one hundred and fifty thousand and over and having paid fire and police departments shall hear and decide all applications for pensions under this act, and its decisions on such applications shall be final and conclusive and not subject to review, modification or reversal except by the board itself at its own discretion. The board shall cause to be kept a record of all such applications and of all its proceedings under this act.

SECTION 2. If any member of the paid fire or police department of any such city shall, while engaged in the performance of his duty as such fireman or policeman, be injured and be found upon examination by a medical officer ordered by said board of fire and police commissioners to be physically or mentally permanently disabled by reason of service in such department so as to render necessary his retirement from service in such fire or police department, said board of fire and police commissioners shall retire such disabled member from service in such fire or police department, provided no such retirement on account of such disability shall occur unless said member has contracted said disability while in the service of such fire or police department. Upon such retirement the said board of fire and police commissioners shall order the payment to such disabled member of such fire or police department, monthly, by the treasurer of said city of a sum equal to one-half the monthly compensation allowed to such member as salary at the date of such retirement.

Pension allowed disabled members.

SECTION 3. If any member of the paid fire or police department of such city shall, while in the performance of his duty, be killed or die as the result of an injury received in the line of his duty or any disease contracted by reason of his occupation, or if any member of such paid fire or police department, after ten years' service in such department, shall die from any cause whatever while in said service, or if any member of such paid fire or police department shall die from any cause whatever after having been retired upon a pension under any of the provisions of this act, or of chapter 287, of the laws of 1891. and shall leave a widow or minor child or minor children under sixteen years of age surviving him, said board of fire and police commissioners shall direct the payment by the treasurer of said city of the following sums, monthly, to-wit: to such widow, while unmarried, thirty dollars; to the guardian of such minor child or children, six dollars for each of said children while under the age of sixteen years; provided, however, that

Pension for widows and orphans of members killed in performance of duty.

there shall not be paid to a family of a deceased member a total pension exceeding one-half the amount of the monthly salary of such deceased member at the time of his decease, or, if retired upon a pension under any of the provisions of this act, or of said chapter 287, of the laws of 1891, a sum not exceeding one-half the amount of the monthly salary of such retired member at the date of his retirement; but nothing in this act shall warrant the payment of any pension to the widow of any member or retired member of such fire or police department after she shall have remarried.

Old members to be reti ed on half pay.

SECTION 4. Any member of the paid fire or police department of such city after becoming fifty years of age and having served twenty-two years or more in such fire or police department, of which the last five years of service shall have been continuous, may make application to be retired from such fire or police department, such application to be decided by the board of fire and police commissioners in accordance with the authority conferred upon it by this act; or such member may be retired from such fire or police department, without any application, by the board of fire and police commissioners whenever in its judgment advisable; and in either case the said board of fire and police commissioners shall order and direct that such person shall be paid a monthly pension equal to one-half the amount of salary attached to the rank which he may have held in such fire or police department at the date of such retirement, to be paid by the treasurer of such city; and the said board upon the recommendation of the chief officer of such fire or police department shall have the power to assign members of the fire or police department retired and drawing pensions under this act or under said chapter 287, of the laws of 1891, to the performance of light duties in such fire or police department in case of extraordinary emergencies.

Pensions under ch. 287, laws of 1891, continued.

SECTION 5. Any persons now drawing pensions under any of the provisions of chapter 287, of the laws of 1891, entitled "An act to create a

pension fund for members of fire and police departments in certain cities of Wisconsin," shall continue to receive monthly the same sums as they are now receiving under any of the provisions of said chapter 287; but such sums shall be paid to them hereafter by the treasurers of such cities in the same manner and under the same provisions of law which govern the payment of pensions under the present act and not otherwise.

To be paid monthly.

SECTION 6. The pensions provided for in this act shall be paid monthly, on the first day of the month, in the same manner and under the same provisions of law which govern the payment of the salaries of active members of such fire and police departments so far as the same may be applicable, and the provisions of any law or ordinance for monthly pay-rolls in such fire or police departments shall apply to the persons and pensions provided for in this act.

Report condition of pension fund.

SECTION 7. The board of trustees of the firemen's and policemen's pension fund heretofore organized under the provisions of chapter 287, of the laws of 1891, in any city having a population of one hundred and fifty thousand and over, and having a board of fire and police commissioners, shall immediately upon the passage and publication of this act make report to the common council of said city of the condition of such pension fund, and any funds remaining in the possession or under the control of any such board of trustees, or of its treasurer, shall be transferred to the treasurer of such city and be by him turned into the general fund of such city, and thereupon such board of trustees shall cease to exist in such city.

SECTION 8. The provisions of any act or law or ordinance now in force or effect so far as they conflict with the provisions of this act are hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 347, S.] [Published May 2, 1895.

CHAPTER 380.

AN ACT to prevent the sale of intoxicants within a certain distance of the Wisconsin Veterans' Home.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Unlawful to grant liquor license within two and one-half miles of Waupaca Home.

SECTION 1. It shall be unlawful for any town board, village board or common council of any town, village or city to grant a license for the sale of spirituous, malt, ardent or intoxicating liquors to any person or persons within a distance of two and one-half miles of the grounds of the Wisconsin Veterans' Home situated in the town of Farmington, county of Waupaca, and state of Wisconsin.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 342, S.] [Published May 3, 1895.

CHAPTER 381.

AN ACT to appropriate a certain sum of money for improvements at the Wisconsin Veterans' Home.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Appropriation to Wisconsin Veterans' Home for mproveme nts.

SECTION 1. For the purpose of enlarging and making needed improvements at the Wisconsin Veterans' Home, there is hereby appropriated

out of any moneys, not otherwise appropriated, the sum of twenty-five thousand dollars. The improvements necessary under this appropriation are as follows: Enlargement of main dining room and widows' hall; new kitchen in old people's building; addition to hospital kitchen and dining room; completion of closets, bath room and laboratory in hospital; furniture for hospital; repairs in Marden hall, assembly hall and old men's buiding; new furniture for widows' hall; addition to laundry; new building for widows and men with wives; two new boilers, sixty horse power each; additional electric light; additional heating powers; enlarging pumping works, etc., etc.

Board of trustees to give bond.

SECTION 2. The members of the board of trustees of said Wisconsin Veterans' Home shall execute to the state of Wisconsin a joint and several bond on their part in the penal sum of twenty-five thousand dollars, with two or more sufficient sureties, conditioned that they will faithfully expend and apply said moneys appropriated by this act strictly to the several objects and purposes for which the same are appropriated, and that they will in all respects discharge their duties as such trustees. Until such bond, as is hereinbefore provided, shall be properly made and approved by the governor and filed in the executive office, no money shall be paid out of the state treasury in pursuance of the appropriation made by this act. It shall be the duty of said trustees to keep a true and accurate account of the disbursements of moneys herein appropriated, and report the same to the governor in writing.

To report to governor.

Not to repeal or amend ch. 393, laws of 1891.

SECTION 3. This act shall not in any wise repeal or amend any of the provisions of chapter 393, laws of 1891, but the said provisions of said chapter 393, laws of 1891, in so far as they are applicable to the expenditure of moneys hereby appropriated, and all reports relevant thereto, and all other duties imposed by said act, are hereby continued in force in respect to appropriations herein made, in so far as the same can be applied thereto.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 81, S.] [Published May 3, 1895.

CHAPTER 382.

AN ACT to provide for the appointment of a deep channels commissioner of Wisconsin, and to make appropriations therefor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Governor to appoint deep channels commissioner, duties.

SECTION 1. The governor is hereby authorized and instructed to appoint by and with the advice and consent of the senate, a suitable person by reason of learning and experience in that direction to represent the state of Wisconsin in all matters relative to deepening and improving the great lakes, channels and their outlets; to be a delegate of the state, in such deep channels conventions; to appear at Washington and elsewhere when directed by the governor, and to gather statistics and information upon the entire subject as set forth herein and make full report thereon to the governor.

Official title, compensation.

SECTION 2. The said person so appointed shall be known as the deep channels commissioner of Wisconsin and he shall be provided with necessary stationery, postage and printing. For his compensation he shall receive the sum of one hundred fifty dollars per month and his actual and necessary traveling expenses while engaged in the performance of his duties stated under oath and approved by the secretary of state; provided, that all salary and compensation of said deep channels commissioner shall cease at the end of two years from the date of the first appointment hereunder.

SECTION 3. There is hereby appropriated, out of any money in the treasury not otherwise appropriated, a sum sufficient for the purposes of this act. Appropriation.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 372, S.] [Published May 4, 1895.

CHAPTER 383.

AN ACT to provide for changing the organization of Milwaukee college and to repeal chapter 63, of the private and local laws of 1855.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The trustees of Milwaukee college are hereby authorized and empowered to call a meeting of the stockholders of Milwaukee college, to be holden at the college buldings, at which the stockholders present, either in person or by duly authenticated proxy, shall vote upon the question of the abolition or otherwise of the stock of said college. Notice of such meeting shall state the object of the said meeting and shall be published in one morning and in one evening newspaper of the city of Milwaukee, once a week for not less than six weeks, the last publications to occur not more than five days previous to the day fixed for said meeting. Copies of such notice shall be mailed to all living stockholders and to the legal representatives of deceased stockholders, whose addresses are known or can with due diligence be found. Such notice shall be deposited in the postoffice of the city of Milwaukee, with postage fully pre-

Trustees to call meeting of stockholders, for what purpose.

Notice.

paid, at least ten days before the date of said meeting.

May amend charter.

SECTION 2. If the holders of a majority of all the stock issued, shall vote in favor of the abolition of said stock, the trustees may, according to the provisions of law governing corporations so amend the charter of said corporation, as to make it a corporation without stock, and when such amendment shall take effect the certificates of stock shall no longer be of force, to give to the holders thereof, any interest in the property of the college or any voice in its management; provided, however, that all stockholders who shall make demand within one year after the holding of the stockholders' meeting, provided for in section 1, of this act, shall be repaid the par value of their stock.

Alumnae may elect trustees.

SECTION 3. Said trustees may provide by such amendments to the charter for the election of a certain portion of the trustees of the college by the alumnae thereof.

Acts repealed in case charter amended.

SECTION 4. In case the charter of the corporation shall within two years after the passage of this act be amended as before provided in section 1, of this act, chapter 63, of the private and local laws of 1855, and any and all acts and parts of acts which conflict with the provisions of this act, shall be and by virtue of this act are repealed.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 322, S.] [Published May 3, 1895.

CHAPTER 384.

AN ACT to enable cities to levy a special tax for sewer constructions or improvements.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

May levy special tax for construction of sewers.

SECTION 1. The common council of any city of the second or third class organized under the general laws of this state, may levy, for a term not exceeding five years, a special tax not exceeding one-fourth of one per cent. per annum upon all the real and personal property taxable in such city, for either of the following purposes, to-wit:

1. For the planning, construction and completion of a general system of sewers and drains, or either of them.

2. For the planning, construction and completion of any change or reconstruction of an established system of sewers and drains, or either of them; or

3. For such portion of the expense of such planning, construction and completion as said council may not find it lawful or expedient to charge to the particular property benefitted thereby in the manner provided by the charter of such city.

To be submitted to a vote.

SECTION 2. Before any such tax shall be levied or any contracts or obligations entered into in contemplation hereof, said council shall cause to be made and prepared a plan and specifications for the improvement proposed to be made, together with an estimate by the city engineer or suveyor, as the case may be, of the probable cost of such improvement; and said common council shall adopt and cause to be published, together with an abstract of the plan aforesaid and the engineer's estimate thereon, in the official city paper, a resolution submitting to the electors of said city the question

whether a special sewerage tax in an amount and for a number of years to be specified in said resolution, and not exceeding the limits aforesaid, shall be levied, and shall accompany said publication with a notice that said question will be submitted to a vote of the qualified electors of said city at a time therein to be named.

Election, when held.

SECTION 3. Such vote shall be taken not more than sixty nor less than twenty days after the publication of the said plans, estimate and resolution, in the same manner as other municipal elections are held in such cities, and may be held either at the regular municipal election or at a special election to be held for the purpose, and in either case the votes shall be received, counted and canvassed by the same officers and in the same manner prescribed in regular municipal elections. The ballots for such election shall in all cases be upon a separate ticket, and shall read:

Form of ballot.

For sewerage tax	....
Against the sewerage tax	....

And shall be marked in the manner prescribed by the general election laws of the state of Wisconsin.

Council to let contract to lowest bidder.

SECTION 4. If a majority of all the votes cast upon said question shall be in favor of such sewerage tax, then and in that case the common council may advertise for bids and may let the contract for such work to the lowest bidder or bidders, if such bids shall be deemed reasonable, and may levy an annual tax not exceeding the amount or the time authorized by the electors, which tax shall be placed upon the tax roll and collected in the same manner as other special charges. No city shall contract to pay more in any one year pursuant of this act more than the amount of the special fund available in such year; but the proceeds of any such tax may be anticipated by the issu-

ance of special sewerage bonds in the manner and under the limitations prescribed by other statutes of this state, and such tax when collected may be devoted to a special sewage bond sinking fund.

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 2, S.] [Published May 2, 1895.

CHAPTER 385.

AN ACT to amend section 4, chapter 284, of the laws of Wisconsin for the year 1893, entitled "An act placing roads within a town under the management of the town board."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 4, of chapter 284, of the laws of Wisconsin for the year 1893, is hereby amended so as to read as follows: Section 4. Hereafter all taxes assessed for making and repairing roads in any town in this state shall be paid in money, and collected by the town treasurer at the same time, and in the same manner as other taxes are collected in said town for other town and county purposes and the taxes so collected shall be disbursed by said treasurer on warrants drawn by the town board. The amount of highway taxes that may be assessed in any town for any one year and the manner of making such assessment, shall remain the same as now provided for by section 1240, of the revised statutes and the amendments thereto; provided, in case there be filed with the town clerk fifteen days prior to the time of holding the annual town meeting a

Amending sec. 4, ch. 284, laws of 1893.

Road tax to be paid in money.

Petition for submitting question to vote.

petition in writing signed by not less than twenty electors and freeholders of the town requesting that the electors of the town shall at such town meeting vote on the question whether the highway taxes in such town shall be paid in labor instead of money, it shall be the duty of the town clerk to post in three public places of the town at least ten days prior to the time of holding such town meeting notice that such question will be submitted at such meeting to a vote of the electors. In case the electors at such meeting vote that the highway tax shall be paid in labor instead of money such labor shall be performed under the supervision of a road superintendent or superintendents appointed by the town board under this act and at such time as the town board or road superintendent may determine, and thereafter all highway taxes in such town may be paid in labor until on a like petition by twenty electors and freeholders the electors of such town shall at a regular town meeting by a vote of the electors of such town decide to pay such taxes in money as hereinbefore provided. All the provisions of the revised statutes of 1878, and the acts amendatory thereof, for the collection of highway taxes when paid in labor, shall as far as applicable apply, except that such superintendent or superintendents, shall have all the powers and perform all the duties of the road overseers mentioned in the statutes.

Clerk to post notices.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 337, S.] [Published May 2, 1895.

CHAPTER 386.

AN ACT to amend section 2001, of the revised statutes of the state of Wisconsin, as amended by chapter 94, of the laws of Wisconsin for the year 1879.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Organizations under sec. 2001, R. S. legalized.

SECTION 1. Section 2001, of the revised statutes of the state of Wisconsin, as amended by chapter 94, of the laws of Wisconsin for the year 1879, is hereby amended so as to read as follows: Section 2001. Every religious or religious educational and charitable society organized or attempted to be organized under chapter 47, of the revised statutes of 1849, or chapter 66, of the revised statutes of 1858, or chapter 91, of the revised statutes of 1878, and the acts amendatory thereof, by filing, or filing and having recorded a certificate of the election of trustees or a certificate of organization designating the name of the church or society with the register of deeds of the proper county, and which, since such filing or recording has acted as a religious, or a religious educational and charitable corporation in pursuance thereof, shall be deemed to be legally incorporated and shall have all the powers and be subject to all the liabilities of religious corporations under the provisions of this chapter.

Not to affect actions now pending.

SECTION 2. Nothing herein contained shall be construed to affect any action or proceeding now pending for or against any such corporation.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

No. 415, S.] [Published May 1, 1895.

CHAPTER 387.

AN ACT to provide for a uniform policy of fire insurance to be known as the Wisconsin standard fire policy, to be issued in the state by all insurance companies taking fire risks on property within the state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Commissioner to prepare form.

SECTION 1. The commissioner of insurance shall prepare and file in his office immediately after the passage and publication of this act, a printed form in blank of a contract or policy of fire insurance containing the following provisions, agreements and conditions, and such form when so filed shall be known as the Wisconsin standard policy to-wit:

No. ——. $——.

Form of Wisconsin Standard policy.

———In consideration of the stipulations herein named and of ——Dollars premium does insure —— for the term of —— from the—— day of ——, 18—, at noon, to the —— day of ——, 18—, at noon, against all direct loss or damage by fire, except as hereinafter provided, to an amount not exceeding —— Dollars to the following described property while located and contained as described herein and not elsewhere, to-wit:——

Conditions of policy.

Except when otherwise provided by statute this company shall not be liable beyond the actual cash value of the property at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value, with proper deduction for depreciation however caused, and shall in no event exceed what it would then cost the insured to repair or replace the same with material of like kind and quality; said ascertainment or estimate shall be made by the insured and this company, or, if they differ, then by apprais-

ers, as hereinafter provided; and the amount of loss or damage having been thus determined, the sum for which this company is liable pursuant to this policy shall be payable sixty days after due notice and proof of the loss have been received by this company in accordance with the terms of this policy. It shall be optional, however, with this company to take all, or any part, of the articles at such ascertained or appraised value, and also to repair, rebuild or replace the property lost or damaged with other of like kind and quality within a reasonable time on giving notice, within thirty days after the receipt of the proof herein required, of its intention so to do; but there can be no abandonment to this company of the property described. This entire policy shall be void if the insured has concealed or misrepresented, in writing or otherwise, any material fact or circumstance concerning this insurance or the subject thereof; or if the interest of the insured in the property be not truly stated herein; or in case of any frand or false swearing by the insured touching any matter relating to this insurance or the subject thereof, whether before or after a loss. This entire policy, unless otherwise provided by agreement endorsed hereon or added hereto, shall be void if the insured now has or shall hereafter make or procure any other contract of insurance, whether valid or not, on property covered in whole or in part by this policy, or if the subject of insurance be a manufacturing establishment, and it be operated in whole or in part at night later than ten o'clock, or if it cease to be operated for more than ten consecutive days; or if the hazard be increased by any means within the control or knowledge of the insured; or if mechanics be employed in building, altering or repairing the within described premises for more than fifteen days at any one time; or if the interest of the insured be other than unconditional and sole ownership; or if the subject of insurance be a building on ground not owned by the insured in fee simple; or if the subject of insurance be personal prop-

erty and be or become incumbered by a chattel mortgage; or if, with the knowledge of the insured, foreclosure proceedings be commenced or notice given of sale of any property covered by this policy by virtue of any mortgage or trust deed; or if any change other than by the death of an insured, take place in the interest, title or possession of the subject of insurance (except change of occupants without increase of hazard) whether by legal process or judgment or by voluntary act of the insured, or otherwise; or if this policy be assigned before a loss; or if illuminating gas or vapor be generated in the described building (or adjacent thereto) for use therein; or if (any usage or custom of trade or manufacture to the contrary notwithstanding) there be kept, used, or allowed on the above described premises, benzine, benzole, dynamite, ether, fireworks, gasoline, greek fire, gunpowder exceeding twenty-five pounds in quantity, naphtha, nitro-glycerine or other explosives, phosphorus or petroleum or any of its products of greater inflammability than kerosene oil of the United States standard (which last may be used for lights and kept for sale according to law, but in quantities not exceeding five barrels, provided it be drawn and lamps filled by daylight or at a distance not less than ten feet from artificial light); or if a building herein described, whether intended for occupancy by owner or tenant, be or become vacant or unoccupied and so remain for ten days. This company shall not be liable for loss caused directly or indirectly by invasion, insurrection, riot, civil war or commotion, or military or usurped power, or by order of any civil authority; or by theft; or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire or when the property is endangered by fire in neighboring premises; or (unless fire ensues, and, in that event, for the damage by fire only) by explosion of any kind, or lightning; but liability for direct damage by lightning may be assumed by specific agreement hereon. If a building or any part thereof fall, except as

the result of fire, all insurance by this policy on such building or its contents shall immediately cease. This company shall not be liable for loss to accounts, bills, currency, deeds, evidences of debt, money, notes, or securities; nor, unless liability is specifically assumed hereon, for loss to awnings, bullion, casts, curiosities, drawings, dies, implements, jewels, manuscripts, medals, models, patterns, pictures, scientific apparatus, signs, store or office furniture or fixtures, sculpture, tools or property, held on storage, or for repairs; nor, beyond the actual value destroyed by fire, for loss occasioned by ordinance or law regulating construction or repair of buildings, or by interruption of business, manufacturing process or otherwise; nor for any greater proportion of the value of plate glass, frescoes and decorations than that which this policy shall bear to the whole insurance on the building described. If an application, survey, plan or description of property be referred to in this policy it shall be a part of this contract and a warranty by the insured. This policy may by a renewal be continued under the original stipulations, in consideration of premium for the renewed term, provided that any increase of hazard must be made known to this company at the time of renewal or this policy shall be void. This policy shall be cancelled at any time at the request of the insured; or by the company by giving five days' notice of such cancellation, unless during a time in which the hazard shall be increased solely by the act of God, and in such case and during such time of such increase of hazard the company shall not cancel this policy except upon sixty days' notice of such cancellation without the consent of the assured. If this policy shall be cancelled as hereinbefore provided, or become void or cease the premium having been actually paid, the unearned portion shall be returned on surrender of this policy or last renewal, this company retaining the customary short rate; except that when this policy is cancelled by this company by giving notice it shall retain only the pro rata

premium. If, with the consent of this company, an interest under this policy shall exist in favor of a mortgagee or of any person or corporation having an interest in the subject of insurance other than the interest of the insured as described herein, the conditions hereinbefore contained shall apply in the manner expressed in such provisions and conditions of insurance relating to such interest as shall be written upon, attached or appended hereto. If property covered by this policy is so endangered by fire as to require removal to a place of safety, and is so removed, that part of this policy in excess of its proportion of any loss and of the value of property remaining in the original location, shall, for the ensuing five days only, cover the property so removed in the new location; if removed to more than one location, such excess of this policy shall cover therein for such five days in the proportion that the value in any one such new location bears to the value in all such new locations; but this company shall not, in any case of removal, whether to one or more locations, be liable beyond the proportion that the amount hereby insured shall bear to the total insurance on the whole property at the time of fire, whether the same cover in new location or not. If fire occur the insured shall give immediate notice of any loss thereby, in writing to this company, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, make a complete inventory of the same, stating the quantity and cost of each article and the amount claimed thereon; and, within sixty days after the fire, unless such time is extended by agreement with the company through the local agent, or any other authorized agent or any adjuster acting for such company concerning such loss, shall render a statement to this company, signed and sworn to by said insured, stating the knowledge and belief of the insured as to the time and origin of the fire; the interest of the insured and of all others in the property; the cash value of each

item thereof and the amount of loss thereon; all incumbrances thereon; all other insurance, whether valid or not, covering any of said property; and a copy of all the descriptions and schedules in all policies, any changes in the title, use, occupation, location, possession or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire; and shall furnish, if required, verified plans and specifications of any building, fixtures or machinery destroyed or damaged; and shall also, if required, furnish a certificate of the magistrate or notary public (not interested in the claim as a creditor or otherwise, nor related to the insured) living nearest the place of fire, stating that he has examined the circumstances and believes the insured has honestly sustained loss to the amount that such magistrate or notary public shall certify. The insured, as often as required, shall exhibit to any person designated by this company all that remains of any property herein described, and submit to examinations all under oath by any person named by this company, and subscribe the same; and, as often as required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made. In the event of disagreement in the amount of loss the same shall, as above provided, be ascertained by two competent and disinterested appraisers, who shall be residents of this state unless otherwise agreed by the parties thereto; the insured and this company each selecting one within thirty-five days after the mailing of proof of loss to said company, as herein stated, and in case either party fails to select an appraiser within such time the other appraiser and the umpire selected, as herein provided, may act as a board of appraisers, and whatever award they shall

find shall be as binding as though the two appraisers had been chosen; and the two so chosen shall first select a competent and disinterested umpire, provided that if after five days the two appraisers cannot agree on such an umpire, the presiding judge of the circuit court of the county wherein the loss occurs may appoint such an umpire upon application of either party in writing by giving five days' notice thereof in writing to the other party. Unless within thirty days after proof of the loss has been mailed to the company, either party, the assured or the company, shall have notified the other in writing that such party demands an appraisal, such right of an appraisal shall be waived; the appraisers together shall then estimate and appraise the loss, stating separately sound value and damage, and, failing to agree, shall submit their differences to the umpire; and the award in writing of any two shall determine the amount of such loss; the parties thereto shall pay the appraiser respectively selected by them and shall bear equally the expenses of the appraisal and umpire. This company shall not be held to have waived except as above expressly provided for any provision or condition of this policy or any forfeiture thereof by any requirement, act or proceeding on its part relating to the appraisal or to any examination herein provided for; and the loss shall become payable sixty days after the notice and proof of the loss herein required have been received by this company. This company shall not be liable under this policy for a greater proportion of any loss on the described property or for loss by and expense of removal from premises endangered by fire, than the amount hereby insured shall bear to the whole insurance, whether valid or not, or by solvent or insolvent insurers covering such property, and the extent of the application of the insurance under this policy or of the contribution to be made by this company in case of loss, may be provided for by agreement or condition written hereon or attached or appended hereto. Liability for reinsurance shall be as

No. 337, S.] [Published May 2, 1895.

CHAPTER 386.

AN ACT to amend section 2001, of the revised statutes of the state of Wisconsin, as amended by chapter 94, of the laws of Wisconsin for the year 1879.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Organizations under sec. 2001, R. S. legalized.

SECTION 1. Section 2001, of the revised statutes of the state of Wisconsin, as amended by chapter 94, of the laws of Wisconsin for the year 1879, is hereby amended so as to read as follows: Section 2001. Every religious or religious educational and charitable society organized or attempted to be organized under chapter 47, of the revised statutes of 1849, or chapter 66, of the revised statutes of 1858, or chapter 91, of the revised statutes of 1878, and the acts amendatory thereof, by filing, or filing and having recorded a certificate of the election of trustees or a certificate of organization designating the name of the church or society with the register of deeds of the proper county, and which, since such filing or recording has acted as a religious, or a religious educational and charitable corporation in pursuance thereof, shall be deemed to be legally incorporated and shall have all the powers and be subject to all the liabilities of religious corporations under the provisions of this chapter.

Not to affect actions now pending.

SECTION 2. Nothing herein contained shall be construed to affect any action or proceeding now pending for or against any such corporation.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

herein insured, between the assured and any agent of the company, knowledge of the agent shall be knowledge of the company; and in all transactions relating to the subject of insurance, between the insured and any agent of the company after loss, knowledge of the agent shall be knowledge of the company. In witness whereof, this company has executed and attested these presents this ——day of ——, 18—.

(Indorsements.)

ASSIGNMENT OF INTEREST BY INSURED.

Assignment. The interest of—— —— as owner of property covered by this policy is hereby assigned to —— —— subject to the consent of (name of company).

—— ——,
Signature of the insured.

Dated ——.

Note.—To secure mortgages, if desired, the policy should be made payable on its face to such mortgagee, as follows: Loss if any, payable to John Doe, mortgagee.

CONSENT OF COMPANY TO ASSIGNMENT OF INTEREST.

Consent of company. ———— (name of company) hereby consents that the interest of —— —— as owner of the property covered by this policy be assigned to —— ——.

—— ——,
Signature for company.

Dated ——.

STANDARD FIRE INSURANCE POLICY OF THE STATE OF WISCONSIN.

Expires ——.
Property ——.
Am't $——. Premium $——.
No.—

It is important that the written portions of all policies covering the same property read exactly alike. If they do not they should be made uniform at once.

Commissioner to furnish copies to company.

SECTION 2. Immediately after filing said form of policy in the office of said commissioner of insurance, he shall have five hundred copies of the same printed, together with five hundred copies of this act, and mail each company doing a fire insurance business, in this state, copies of the same.

No other policy to be used.

SECTION 3. No fire insurance company, corporation or association, except township mutual insurance companies, their officers or agents shall make, issue, use or deliver for use, any fire insurance policy on property in this state, other than such as shall conform in all particulars, as to blanks, size of type, context, provisions, agreements and conditions with the printed form of contract or policy so filed in the office of the commissioner of insurance, as provided for in the first section of this act, and no other or different provision, agreement, condition or clause shall in any manner be made a part of said contract or policy, or be endorsed thereon or delivered therewith, except as follows, to-wit: 1st. The name of the company, its location or place of business, the date of its incorporation or organization and the state or county under which the same is organized, the amount of paid up capital stock, whether it is a stock or mutual company, the names of its officers, the number and date of the policy; and if it be issued through a manager or agent of the company, the words "This policy shall not be valid, until countersigned by the duly authorized manager or agent of the company at ——," may be printed on policies issued on property in this state.

Schedules may be attached to policy.

2d. Printed or written forms of description and specifications, or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts and conditions of insurance on any particular risk (which facts or conditions shall in no case

be inconsistent with or a waiver of any of the provisions or conditions of the standard policy herein provided for), may be written upon or attached or appended to any policy issued on property in this state.

Other provisions may be presented—when.

3d. A company, corporation or association organized or incorporated under and in pursuance of the laws of this state, or elsewhere, if entitled to do business in this state, may with the approval of the commissioner of insurance, if the same is not already included in the standard form, as provided for in the first section of this act, print on its policies any provisions which it is required by law to insert therein, if such provision is not in conflict with the laws of this state, or of the United States, or of the provisions of the standard form provided for herein, but said provision or provisions shall be printed apart from the other provisions, agreements or conditions of the policy, and in type not smaller than the body of the policy, and under separate title, as follows: "Provisions required by law to be stated in this policy," and be a part of said policy.

Endorsements.

4th. There may be endorsed on the outside of any policy herein provided for, the name, with the word "agent" or "agents" and place of business of any insurance agent or agents, either by writing, printing, stamping or otherwise.

Two or more companies may issue joint policy.

5th. Where two or more companies (each having previously complied with the laws of this state) unite to issue a joint policy, there may be expressed in the heading of such policy the fact of the severalty of the contract; also the proportion of premium to be paid to each company and the proportion of liability which each company agrees to assume. And in the printed conditions of such policy the necessary change may be made from the singular to the plural number, when reference is had to the companies issuing such policy.

Penalty.

SECTION 4. Any insurance company, its officers or agents, or either of them, violating any provisions of this act, by making, issuing, delivering or offering to deliver, any policy of fire in-

surance on property in this state, except as hereinbefore provided, shall be guilty of a misdemeanor, and upon complaint made by the commissioner of insurance or by any citizen of this state shall, upon conviction thereof, be punished by a fine of not less than fifty dollars nor more than one hundred for the first offense, and of not less than one hundred nor more than two hundred and fifty dollars for each subsequent offense; but any policy so made, issued and delivered shall, nevertheless, be binding upon the company issuing the same, and such company shall thereafter be disqualified from doing any insurance business in this state.

Repeal.

SECTION 5. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved April 19, 1895.

MEMORIAL AND JOINT RESOLUTIONS.

[No. 3, A.]

MEMORIAL NO. 1.

Memorial to the legislature of the state of Illinois, praying that a certain bill introduced or to be introduced in the senate or assembly of the state of Illinois be rejected and denied passage:

To the legislature of the State of Illinois:

We are informed and believe that sundry and divers persons who reside in the state of Illinois propose to obtain from the legislature of the state of Illinois, authority to build and construct a dam across Fox river at or near McHenry, in the county of McHenry, in the state of Illinois,

That the object and purpose of building and constructing such dam across said river at the point aforesaid, as we are informed and believe, is to raise the water and the level of the water in Fox lake, which is an enlargement of said Fox river in said state of Illinios, so that said parties may be afforded better facilities for using small sailing and steam vessels upon said Fox lake for pleasure purposes,

That immediately north of the said proposed dam in the states of Illinois and Wisconsin, is a very large acreage of lands adjacent to the said river, which lands are now useful for agricultural purposes, and which said lands will be rendered useless and of no value in case said dam be built and constructed as aforesaid for the reason that it will cause the waters in said Fox river to rise north of said dam, and will cause said waters to remain permanently raised, and will submerge a large portion of the lands along the valley of the said Fox river lying north of the said proposed dam,

That the effect of the putting in of said dam as aforesaid will be to destroy all water power on the said Fox river for a great distance north of said dam, and will cause manufacturing business dependent upon water power along said river to suspend operations, and will more particularly entirely disable a large grist mill at the village of Wilmot, in the county of Kenosha, and state of Wisconsin, and entirely destroy the source of power of said mill,

That the building and erection of said dam, if permitted, will cause great and irreparable damage and injury to the people who are interested in the lands of said Fox river valley,

That the persons interested in said lands are mostly people of moderate means, and that they will have no adequate remedy at law in case the said dam is permitted to be built under the sanction and authority of the legislature of the state of Illinois,

We therefore respectfully ask your honorable body, the legislature of the state of Illinois, to reject and refuse to pass any bill that may be introduced looking to the erection of such dam,

Resolved by the assembly of the state of Wisconsin, the senate concurring, That a copy of this memorial be transmitted by the chief clerk of the assembly to the chief clerks of the senate and assembly of the state of Illinois.

Approved February 15, 1895.

[No. 21, S.]

JOINT RESOLUTION NO. 1.

For the appointment by the governor of commissioners to consider ways and means for the extermination of the Russian thistle.

Whereas, The noxious weed, commonly known as Russian thistle or Russian cactus, by its rapid spread throughout the agricultural regions of the northwestern

states, namely Wisconsin, Minnesota, Iowa, North Dakota, South Dakota and Nebraska, as shown by the bulletin of the department of agriculture at Washington, is threatening great injury to the agricultural interest of the northwest; and,

Whereas, It is essential to the extermination of the weed aforesaid, that the people of every infested section act in harmony; and,

Whereas, It appears that the legislature of Minnesota and of other interested states have authorized the appointment of commissioners to take under consideration the best means of exterminating such noxious weeds;

Therefore, be it resolved by the senate, the assembly concurring, That the governor be requested to appoint two members of this legislature or other persons as may to him seem fittest to act with commissioners in other states, to devise means for concerted action in the extermination of the aforesaid Russian thistle with a view to agreeing upon legislation which shall be recommended to the legislatures of the several states aforesaid and also to congress.

[No. 7, S.]

JOINT RESOLUTION NO. 2.

Agreeing to a proposed amendment to section 1, article 10, of the constitution of the state of Wisconsin.

Whereas, At the biennial session of the legislature of this state, for the year one thousand eight hundred and ninety-three, an amendment to the constitution of this state was proposed, and agreed to by a majority of the members elected to each of the two houses, which proposed amendment was in the following language:

"Resolved by the assembly, the senate concurring, That section 1, article 10, of the constitution of the state of Wisconsin, be amended by striking out this sentence: 'Provided, that his compensation shall not exceed the sum of twelve hundred dollars annually.'"

Resolved by the senate, the assembly concurring, That the foregoing proposed amendment to the constitution of the state of Wisconsin be, and the same hereby is, agreed to by this legislature.

[No. 32, S.]

JOINT RESOLUTION NO. 3.

Resolved by the senate, the assembly concurring, That the state treasurer furnish to this legislature, as early as possible, a statement showing what counties if any there be, which have failed to pay over to the state the moneys collected as fines and penalties in criminal cases for the years of 1891, 1892, 1893 and 1894.

[No. 40, S.]

JOINT RESOLUTION NO. 4.

Authorizing the governor to appoint three additional members of the commission to locate and erect monuments and markers on the battlefield of Chickamauga.

Whereas, It has pleased the legislature and executive of our state to pay merited tributes of respect to the memory of those of Wisconsin's sons who took honorable part in the bloody battle of Chickamauga, and by a generous appropriation of twenty thousand dollars have provided for the locating and erection of monuments to

mark permanently the position that each organization of Wisconsin troops occupied and held during those memorable three days of fierce conflict; and

Whereas, Five regiments of infantry, one of cavalry and three batteries of light artillery were Wisconsin's contributions to the battle line; and

Whereas, The commission as at present constituted represents only four regiments of the infantry, to the exclusion of the twenty-fourth Wisconsin infantry, the cavalry and artillery; therefore be it

Resolved, That the governor be, and he is hereby authorized to appoint and commission three additional members of the commission provided for by senate bill number 72, one to be selected from the twenty-fourth Wisconsin infantry, and one each from the cavalry and artillery branch of the service.

The additional expense attendant upon the increase in the number of commissioners, over and above the amount appropriated for such purpose by bill number 72, senate, shall be paid from any surplus there may be from the amount appropriated for monuments, provided that such additional expense shall not exceed the sum of three hundred dollars.

All bills for expenses and monuments shall be audited and allowed by the secretary of state before being paid.

[No. 50, S.]

JOINT RESOLUTION NO. 5.

Resolved by the senate, the assembly concurring, That the governor of this state be and he is hereby authorized to build and construct new road ways and foot walks within the capitol park and make such other improvements to the grounds as he shall deem best.

Resolved, further; That the governor be and he is hereby authorized to have the rooms in the capitol renumbered in such a manner that the numbers will indi-

cate on which floor the room may be found; also to have plans made showing floor space in each room; also to have rooms fitted up and assigned by the superintendent of public property for permanent use by the leading committees of the two houses, special reference being had to convenience of the legislature.

Resolved, further; That he be and he is hereby authorized to have put in a system of ventilation for the legislative chambers and committee rooms, utilizing the four shafts about the rotunda as far as practicable; also to have at least four seat closets placed in the toilet room adjoining the assembly and at least two in the toilet room adjoining the senate.

Resolved, further, That he be and is hereby authorized to have the elevator connected with steam or other power, and we would commend the suggestions of chief engineer Dean upon the subject.

[No. 62, S.]

JOINT RESOLUTION NO. 6.

Whereas, The manual of practice and the rules of the senate and assembly, and the joint rules of the same, are conflicting, contradictory and complicated, and

Whereas, It is quite apparent that they could be simplified and made much more effective, and tend to the expedition of the business of the two house, therefore be it

Resolved, by the senate the assembly concurring, That a committee, consisting of the president and the president pro tempore of the senate, the speaker of the assembly, the chief clerks of the senate and assembly, one senator and two assemblymen, the latter to be named by the presiding officers of the two houses, be authorized to revise the manual of practice and the rules of the two houses, and the joint rules, and submit their report to the next legislature at the opening of the same for its consideration.

[No. 53, S.]

JOINT RESOLUTION NO. 7.

Whereas, Edwin F. Townsend now colonel of the Twelfth Infantry, U. S. A., was appointed cadet at the United States Military Academy September 1st, 1850, from the state of Wisconsin, served with the regular army throughout the War of the Rebellion, thus losing the chances of promotion that might have been his had he served with the volunteers; is senior to all but five colonels in the infantry arm of the service; bears a record unexcelled for faithful and meritorious service and holds the respect and esteem of all who have ever served with him, therefore

Be it resolved by the senate, the assembly concurring, That his excellency, the president of the United States, be, and he is hereby respectfully petitioned to appoint the said Edwin F. Townsend, colonel 12th U. S. Infantry, to the first vacancy that may occur in the grade of brigadier general,

And be it further resolved, That a copy of this resolution properly enrolled be transmitted to the president.

[No. 9, S.]

JOINT RESOLUTION NO. 8.

Resolved, by the senate, the assembly concurring, That section 7, article 7, constitution of Wisconsin, relating to circuit courts be amended so as to read as follows:

"SECTION 7. For each circuit there shall be chosen by the qualified electors thereof, one circuit judge, except that in any circuit composed of one county only, which county shall contain a population, according to the last state or United States census, of one hundred thousand

inhabitants or over, the legislature may from time to time authorize additional circuit judges to be chosen. Every circuit judge shall reside in the circuit from which he is elected and shall hold his office for such term and receive such compensation as the legislature shall prescribe."

[No. 38, S.]

JOINT RESOLUTION NO. 9.

Instructing the superintendent of public property to pay for badges furnished to messengers and pages of senate and assembly.

Resolved by the senate, the assembly concurring, That the superintendent of public property be and he is hereby instructed to pay for forty-four (44) badges provided and worn by the messengers and pages of the senate and assembly, providing the bill for the same does not exceed the sum of five dollars and fifty cents.

[No. 20, A.]

JOINT RESOLUTION NO. 10.

Relating to apportionment.

Resolved by the assembly, the senate concurring, That there be and hereby is appointed a joint committee of

nine, to consist of six members of the assembly and three members of the senate, the members of said committee to be designated by the presiding officers of the respective houses, which committee shall contain representatives of the minority party in each house in the usual proportion, no two of whom shall be appointed from the same congressional district. Said committee is hereby charged with the duty of preparing, so soon as the next enumeration of the inhabitants of the state shall have been taken, and the result thereof duly promulgated, a bill apportioning and districting anew the members of the senate and assembly, according to the number of inhabitants as shown by said enumeration, excluding Indians not taxed, and soldiers and officers of the United States army and navy. The said committee is instructed in the preparation of said bill to strictly comply with the requirements of article 4, of the constitution, as construed by the supreme court, to the end that the senate and assembly districts shall be so formed as to be as nearly equal as practicable in population, compact in form, and of convenient contiguous territory. The committee shall, when said bill is prepared, deposit the same with the governor, to be by him submitted to the next session of the legislature, whether the same be a regular, or an extraordinary session. The committee is authorized to employ a clerk whose pay shall not exceed ten dollars per diem, for each day of actual service, as certified under the hand of the chairman of the committee. The said bill shall be prepared and deposited with the governor at a date not later than sixty days after the said enumeration shall have been completed and the result thereof promulgated; and it shall, after its deposit with the governor, be published, for the information of the people, in the state paper.

Approved April 19, 1895.

[No. 67, A.]

JOINT RESOLUTION NO. 11.

Authorizing the railroad commissioner to take action in certain cases.

Resolved that the railroad commissioner be and is hereby authorized to investigate the conditions at such places as may enter a complaint to him, as to inadequate station facility, and if in his opinion, such station or stations ought to be opened and maintained, he shall notify such railroad company complained of as to his decision in the matter, and direct that such station be opened and maintained. He shall report at the next session of the legislature, the failure of any railroad company to do so.

Approved April 19, 1895.

[No. 42, S.]

JOINT RESOLUTION NO. 12.

Whereas, Since the last meeting of the legislature death has removed from the head of the column, one of the most intrepid and picturesque as well as one of the foremost leaders of our state, Jeremiah McLain Rusk, ex-cabinet minister, ex-governor, ex-congressman, ex-bank-comptroller, ex-general in the army, ex-legislator and a sturdy pioneer in laying the foundations of our splendid young commonwealth, and

Whereas, His bravery in war, his spirit of progress in peace, his fearless independence in public office, his homely honesty and rare sense of fairness in all the relations of life, stamped him as a man of unusual parts and a leader worthy of the highest honor and emulation; therefore,

Be it resolved by the senate, the assembly concurring, That in his removal the people of Wisconsin have sustained a loss that can never be fully repaired, and that in his career and achievements they have a heritage which will forever shed luster upon their state, and be cherished and honored by our common country; and,

Be it further resolved, That these resolutions be enrolled and a copy thereof, signed by the proper officers of the senate and assembly and by the governor, be transmitted to the sorrowing family of the late General Rusk, to whom we extend, with that of the people he loved so dearly and served so well, our heartfelt sympathy and sincere condolence.

[No. 45, S.]

JOINT RESOLUTION NO. 13.

Honorable Henry Cassius Thom, having through the dispensation of an overruling Providence been removed from our midst, and the members of the senate and assembly being desirous of expressing in some permanent form their esteem of the character and virtues of the man who has passed away from among the living, and to voice their sorrow for the loss which has fallen upon the commonwealth and for the bereavement which has so sorely afflicted his immediate family, his widow and children; it is hereby

Resolved by the senate, the assembly concurring:

1. That in the death of Mr. Thom the state has been deprived of a citizen in the full maturity of his powers, when most honored and useful, one of broad attainments, of upright character and patriotic purposes; that as a citizen he was devotedly attached to the principles of popular government, and by the favor of the people of his native state he was enabled to render to them and to the commonwealth conspicuous and lasting services in connection with its great educational and agricul-

tural interests; that as a firm and consistent adherent to the principles of a great party he became its chosen leader in two strongly contested campaigns, and while as such meeting the just expectations of his political associates, he was nevertheless distinguished as one who placed duty above expediency, the public welfare above mere temporary party success, and as one who would stoop to no unfair or disreputable methods for the sake of personal or partisan advantage; that the strife and rancor of party conflict and factional dissentions could raise in him no personal resentments, could extort from him in retaliation no word of bitterness, no act of unkindness; that in practical politics, exercising the highest functions and prerogatives of free and intelligent citizenship, he stood as the exponent of the purer and better methods of party warfare, a leader zealous, courageous and progressive, he had faith in the intelligence and integrity of the masses, and sought to influence them to action not by pandering to ignorance and prejudice, but by an appeal to their understanding and judgment; that his fairness and impartiality in dealing with persons and factions in his own party and in his relations towards his political opponents, his steadfast convictions, his adherence to better methods, and his devotion to higher aims of successful leadership, are conspicuous and honorable characteristics in a successful political career, which are worthy the emulation of others who may assume the labors and responsibilities of party management in the state or nation.

2. That Mr. Thom in his daily life illustrated all the virtues of the highest manhood; of singular purity in word and deed, modest and unassuming in deportment, yet possessing deep convictions which he was ever ready to declare and uphold; full of candor and of all charitableness toward his fellowmen, yet firm and resolute in the discharge of every duty; a man of worthy aims, diligently devoting all the energies of a vigorous and self-reliant manhood to the labors and pursuits of every day life; strong in every element of his nature, he was kind and sympathetic and helpful to his fellowmen; his consideration and devotion to his family can be fully appreciated only by those who shared in his hourly attentions and boundless affection.

3. That in testimony of our appreciation of the life and character of Mr. Thom, and of the honorable and

useful example they afford to the people of his native state, and as a loving token of kind remembrance to our departed friend and fellow citizen, these resolutions be spread upon the journals, and that the senate and assembly adjourn for this day during the hours set apart for his funeral.

4. That we tender to the family of the deceased our most heartfelt sympathy and condolence in their great affliction and irreparable loss.

5. That a copy of these resolutions, properly enrolled, be transmitted to the disconsolate widow of our deceased friend.

CERTIFICATE.

State of Wisconsin,
Department of State.

I, Henry Casson, secretary of state, of the state of Wisconsin, do hereby certify that the foregoing copies of laws, memorial and joint resolutions, have been compared by me with the original enrolled acts, memorial and joint resolutions, deposited in this office, and that they appear correctly printed.

In testimony whereof, I have hereunto set my hand and affixed the lesser seal of the state, at the capitol in the city of Madison, this 6th day of June, A. D. 1895.

[L. S.]

HENRY CASSON,
Secretary of State.

WISCONSIN CIRCUIT COURTS.

STATEMENT *showing the names and postoffice addresses of the Circuit Judges, and times and places for holding Circuit Courts in the several counties in Wisconsin, prepared in accordance with Sec. 2425, R. S.*

Salary of Circuit Judges, $3,600 per annum, and $400 for expenses.

For general laws relating to circuit courts, see chapter 141, laws of 1885; chapter 204, laws of 1889; chapter 336, laws of 1891; chapter 69, laws of 1893; chapters 2 and 340, laws of 1895.

FIRST CIRCUIT.

JUDGE—FRANK M. FISH, RACINE.

Term expires first Monday of January, 1902.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Walworth....	3d Monday in February 1st Monday in June 1st Monday in October	Elkhorn	Ch. 66, L. 1889
Racine.....	2d Monday in April 4th Monday in June 2d Monday in November	Racine	Ch. 66, L. 1889
Kenosha	3d Monday in March 2d Monday in June 2d Monday in September	Kenosha	Ch. 66, L. 1889

No jury shall be summoned for either of the terms to be held in this circuit in the month of June. Each term in this circuit shall also be a special term for the whole judicial circuit.—*Chapter* 66, *Laws* 1889.

SECOND CIRCUIT.

JUDGE—DANIEL H. JOHNSON, MILWAUKEE.

Term expires first Monday of January, 1900.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Milwaukee.....	1st Monday in January 1st Monday in March 1st Monday in May 1st Monday in September 1st Monday in November	Milwaukee	Ch. 50, L. 1889

A jury shall be summoned for the first day of each of said terms, unless otherwise ordered by the said court.—*Chapter* 50, *Laws* 1889.

THIRD CIRCUIT.

JUDGE—GEO. W. BURNELL, OSHKOSH.

Term expires first Monday of January, 1897.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Calumet.....	1st Monday after 1st Tuesday of April 1st Monday in October.....	Chilton.....	Ch. 134, L. 1885
Green Lake ...	3d Monday in January..... 2d Monday in June.....	Dartford.....	Ch. 133, L. 1891
Winnebago....	1st Monday in May..... 1st Monday in December.....	Oshkosh..... ...	Ch. 134, L. 1885
	SPECIAL TERMS.		
	1st Tuesday in February and September	Oshkosh.....	Ch. 134, L. 1885

Each of the general terms of the circuit court in each of the counties in the said Third judicial circuit of Wisconsin, and the aforesaid special terms in the said county of Winnebago, shall also be and are hereby declared to be special terms of the circuit court in and for the whole of the Third judicial circuit of the state of Wisconsin—*Chapter* 134, *Laws* 1885.

FOURTH CIRCUIT.

JUDGE—NORMAN S. GILSON, FOND DU LAC.

Term expires first Monday of January, 1899.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
heboygan	2d Monday in April ..... 3d Monday in September.....	Sheboygan.....	Ch. 5, L. 1891
Manitowoc	Tuesday after 2d Monday in January Tuesday after 1st Monday in June..	Manitowoc.....	Ch. 5, L. 1891
ewaunee.....	2d Monday in May ..... 3d Monday in October	Kewaunee..... ..	Ch. 5, L. 1891
ond du Lac...	Tuesday after 3d Monday in February ..... Tuesday after 1st Monday in March. Tuesday after 1st Monday in July... Tuesday after 2d Monday in November.....	Fond du Lac.....	Ch. 5, L. 1891

No jury shall be summoned for the terms in February and July unless specially ordered. very term in the counties of Fond du Lac, Sheboygan and Manitowoc shall be a special rm for the whole judicial circuit.—*Chapter* 5, *Laws* 1891.

FIFTH CIRCUIT.

JUDGE—GEORGE CLEMENTSON, LANCASTER.

Term expires first Monday of January, 1901.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Grant.....	3d Tuesday in February..... 2d Tuesday in October	Lancaster	Ch. 402, L. 1887
Iowa.	3d Monday in March ..... 4th Monday in September.....	Dodgeville.....	Ch. 12, L. 1893
La Fayette....	2d Tuesday in June ..... 1st Tuesday in December.	Darlington.....	Ch. 12, L. 1893
Richland	2d Tuesday in April ..... 2d Tuesday in September..	Richland Center..	Ch. 402, L. 1887
Crawford.....	4th Tuesday in May..... ..... 2d Tuesday in November.....	Prairie du Chien.	Ch. 402, L. 1887

Every term in each of said counties shall be a special term for the whole circuit.—*Sec.* 1, *chapter* 402, *Laws* 1887.

SIXTH CIRCUIT.

JUDGE—ORVIS B. WYMAN, VIROQUA.

Term expires first Monday of January, 1901.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
La Crosse	2d Tuesday in January... ..... 1st Tuesday in May .... 2d Tuesday in September	La Crosse.....	Ch. 178, L. 1893
Monroe.....	3d Tuesday in March..... ... ... 1st Tuesday in October.....	Sparta.....	Ch. 178, L. 1893
Trempealeau..	1st Tuesday in March. .. .. 3d Tuesday in October.....	Whitehall.....	Ch. 178, L. 1893
Vernon	2d Tuesday in June..... 2d Tuesday in December.	Viroqua	Ch. 178, L. 1893
Juneau	2d Tuesday in April.. .. .. 3d Tuesday in November..... ...	Mauston	Ch. 178, L. 1893

Every general term of said court in each of said counties shall be a special term for the whole judicial circuit.—*Section* 1, *chapter* 178, *Laws* 1893.

SEVENTH CIRCUIT.

JUDGE—CHARLES M. WEBB, GRAND RAPIDS.

Term expires first Monday of January, 1897.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Portage.....	4th Monday in March. .... 3d Monday in November.....	Stevens Point....	Ch. 135, L. 1893
Waupaca.....	1st Monday in March..... ..... 4th Monday in October.....	Waupaca	Ch. 135, L. 1893
Waushara. ...	Last Tuesday in April .... 3d Tuesday in September.	Wautoma	Ch. 135, L. 1893
Wood	2d Monday in May..... ..... 1st Monday in October	Grand Rapids....	Ch. 135, L. 1893

Every general term of such court in any county of said circuit, shall be a special term for all the other counties thereof.—*Chapter* 135, *Laws* 1893.

EIGHTH CIRCUIT.

JUDGE—EGBERT B. BUNDY, MENOMONIE.

Term expires first Monday of January, 1897.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Buffalo.....	4th Monday of February..... ... ... 4th Monday of October.....	Alma.....	Ch. 326, L. 1891
Dunn	2d Monday of March..... . ... .. 2d Monday of September....	Menomonie.... ..	Ch. 326, L. 1891
Pepin.....	3d Monday of April.. ..... 3d Monday of October	Durand....	Ch. 326, L. 1891
Pierce	Tuesday following 2d Monday of June Tuesday following 2d Monday of Dec.	Ellsworth	Ch. 326, L. 1891
St. Croix	4th Monday of March .. .. 4th Monday of September...	Hudson.....	Ch. 326, L. 1891

Every general term of the Eighth judicial circuit shall be a special term for the whole circuit. At any special term of said court herein provided for, any and all business may be done arising in any county in the circuit which might be done at any general term, except the trial of issues of fact by a jury in cases other than those arising in actions of *quo warranto* and *mandamus*.—*Chapter* 122, *Laws* 1889.

NINTH CIRCUIT.

JUDGE—ROBERT G. SIEBECKER, MADISON.

Term expires first Monday of January, 1897.

COUTIES.	TERMS.	WHERE HELD.	LAWS.
Adams	1st Tuesday in June 3d Tuesday in December	Friendship	Ch. 83, L. 1895
Columbia	2d Tuesday in May 1st Tuesday in December	Portage	Ch. 83, L. 1895
Dane	2d Monday in January Monday after first Tuesday in April. 4th Monday in June 3d Monday in September	Madison	Ch. 83, L. 1895
Marquette	2d Tuesday in June Tuesday after 3d Monday in November	Montello	Ch. 83, L. 1895
Sauk	2d Tuesday in March 3d Tuesday in October	Baraboo	Ch. 83, L. 1895

Every general term in the counties of Columbia, Dane, Marquette and Sauk shall also be a special term for the whole judicial circuit. No jury shall be summoned for the term in June for Dane county.—*Chapter* 83, *Laws* 1895.

TENTH CIRCUIT.

JUDGE—JOHN GOODLAND, APPLETON.

Term expires first Monday of January, 1898.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Florence	1st Tuesday in March 3d Tuesday in September	Florence	Ch. 37, L. 1895
Forest	2d Tuesday in March 4th Tuesday in September	Crandon	Ch. 37, L. 1895
Langlade	3d Monday in March 1st Monday in October	Antigo	Ch. 37, L. 1895
Outagamie	1st Tuesday in February 3d Monday in April 2d Monday in November	Appleton	Ch. 37, L. 1895
Shawano	3d Monday in May 1st Monday in December	Shawano	Ch. 37, L. 1895

The several general terms of court in the counties of Langlade, Outagamie and Shawano shall be a special term for all the other counties in said circuit.

No jury shall be summoned for the February term in Outagamie county.—*Chapter* 37, *Laws* 1895.

ELEVENTH CIRCUIT.

JUDGE—ROUJET D. MARSHALL, CHIPPEWA FALLS.

Term expires first Monday of January, 1901.

COUNTIES.	TERMS	WHERE HELD.	LAWS.
Barron	3d Tuesday in April 4th Tuesday in September	Barron	Ch. 2, L. 1891
Burnett	4th Tuesday in March 3d Tuesday in September	Grantsburg	Ch. 2, L. 1891
Chippewa	1st Tuesday in May 1st Tuesday in October	Chippewa Falls	Ch. 2, L. 1891
Douglas	3d Tuesday in February 2d Tuesday in August	Superior	Ch. 2, L. 1891
Polk	1st Wednesday after 1st Tuesday in April 3d Tuesday in November	Osceo'a Mills	Ch 2, L. 1891
Washburn	3d Tuesday in March 2d Tuesday in September	Shell Lake	Ch. 2, L. 1891

TWELFTH CIRCUIT.

JUDGE—JOHN R. BENNETT JANESVILLE.

Term expires first Monday of January, 1901.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Rock	4th Monday in January 4th Monday in April Wednesday after the first Monday in November	Janesville.	Ch. 67, L. 1893
Green	1st Tuesday in March 3d Tuesday in June 2d Tuesday in October	Monroe	Ch. 67, L. 1893
Jefferson	1st Monday in February 2d Tuesday in June. 3d Monday in September.	Jefferson	Ch. 67, L. 1893

No jury shall be summoned for either of the terms in this circuit appointed to be held in the months of January and June. Every term of this circuit shall also be a special term for the whole judicial circuit.—*Chapter* 67, *Laws* 1893.

THIRTEENTH CIRCUIT.

JUDGE—WARHAM PARKS, OCONOMOWOC.

Appointed April 27, 1895, to fill vacancy caused by death of Judge A. Scott Sloan, of Beaver Dam, whose term would have expired the first Monday of January, 1900.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Dodge	4th Tuesday in September 2d Tuesday in February	Juneau	Ch. 15, L. 1895
Ozaukee	1st Tuesday in September 1st Tuesday in March	Port Washington	Ch. 15, L. 1895
Washington	3d Tuesday in October 3d Tuesday March	West Bend	Ch. 15, L. 1895
Waukesha	1st Tuesday in December 1st Monday in May 4th Tuesday in August (Special) 1st Tuesday in February (Special)	Waukesha	Ch. 15, L. 1895

No jury shall be summoned for the special terms.—*Chapter* 15, *Laws* 1895.

FOURTEENTH CIRCUIT.

JUDGE—SAMUEL D. HASTINGS, JR., GREEN BAY.

Term expires first Monday of January, 1903.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Brown	Last Monday in November 1st Monday in March 1st Monday in June	Green Bay	Ch. 355, L. 1891
Door	1st Tuesday in February Tuesday after 1st Monday in September	Sturgeon Bay	Ch. 355, L. 1891
Marinette	2d Monday in January 1st Monday in May 1st Monday in October	Marinette	Ch. 355, L. 1891
Oconto	2d Monday in April 2d Monday in November	Oconto	Ch. 355, L. 1891

Every term in the counties of Brown, Oconto and Marinette, shall also be a special term for the whole judicial circuit.—*Chapter* 355, *Laws* 1891.

The jurors for each term of court in the counties of Brown, Oconto and Marinette, shall be summoned to appear at or before the hour of nine o'clock A. M., on the second day of the term.—*Chapter* 82, *Laws* 1887.

FIFTEENTH CIRCUIT.

JUDGE—JOHN K. PARISH, MEDFORD.

Term expires first Monday of January, 1900.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Ashland.....	1st Monday of January ..... 4th Monday of April.... ..... 1st Monday of September.....	Ashland	Ch. 234, L. 1895
Bayfield.....	Last Monday of May.. ..... Last Monday of October.	Bayfield	Ch. 234, L. 1895
Iron	Last Monday of June .... 3d Monday of November.....	Hurley....'.	Ch. 234, L. 1895
Price	2d Monday of June..... 3d Monday of December	Phillips.	Ch. 234, L. 1895
Sawyer.	3d Monday of April ..... 3d Monday of October.....	Hayward..... ...	Ch. 234, L. 1895
Taylor.	1st Wednesday after the 1st Tuesday of April..... .... 1st Monday of October...	Medford.....	Ch. 234, L. 1895

SIXTEENTH CIRCUIT.

JUDGE—CHAS. V. BARDEEN, WAUSAU.

Term expires first Monday of January, 1898.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Lincoln.....	4th Monday in February..... 3d Monday in September.	Merrill.....	Ch. 108, L. 1895
Marathon.....	1st Monday of May..... 2d Monday of November.....	Wausau..... ..	Ch. 108, L. 1895
Oneida	1st Monday after 1st Tuesday in April 2d Monday in October.....	Rhinelander.	Ch. 108, L. 1895
Vilas.....	1st Monday in February..... .. 1st Monday in September....	Eagle River.....	Ch. 140, L. 1895

Every general term in each of said counties shall be a special term for all the other counties in the circuit.—*Chapter* 108, *Laws* 1895.

SEVENTEENTH CIRCUIT.

JUDGE—W. F. BAILEY, EAU CLAIRE.

Term expires first Monday of January, 1898.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Clark	3d Monday of April 3d Monday of October	Neillsville	Ch. 277, L. 1893
Eau Claire	3d Monday of March 3d Monday of September 2d Monday of December 2d Monday of June*	Eau Claire	Ch. 277, L. 1893
Jackson	1st Monday of March 1st Monday of September	Black River Falls.	Ch. 277, L. 1893

* The June term in Eau Claire county is special for this circuit. No jury shall be drawn for the June term.

The several general terms of court in each county of said circuit shall be a special term for all the other counties in said circuit.

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TO THE

LAWS OF WISCONSIN,

Enacted 1879-1895, Inclusive.

WITH APPENDIXES

WING THE SECTIONS OF THE REVISED STATUTES EXPRESSLY AMENDED OR REPEALED, AND THE EXPRESS AMENDMENTS OR REPEALS OF THE GENERAL AND PRIVATE AND LOCAL LAWS MADE BY THE LEGISLATION OF 1879-1895.

Prepared and Published Under Authority of Chapter 51, Laws of 1883.

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Burnett county, (proportion of railway license fees), ch. 369, 1895.

VII. SALARIES, ETC

adjutant general, special services, sec. 1, ch. 439, 1885; sec. 40, ch. 292, 1893; (sec. 74, act of 1893, repeals law of 1885).
his salary and expenses, sec. 2, ch. 382, 1889; sec. 26, ch. 292, 1893; (act of 1889 repealed by sec. 74, law of 1893).
chief clerk for state superintendent, sec. 2, ch. 57, 1882.
officers of bureau of labor statistics, etc., sec. 5, ch. 319, 1883; secs. 3, 11, ch. 247, 1885; ch. 132, 1887; ch. 453, 1887; ch. 40, 1895.
corresponding secretary and assistant librarian historical society, ch. 31, 1885.
circuit judges, ch. 246, 1885.
messengers and copyists for supreme court, ch. 132, 1885. See ch. 187, 1895.
messenger for state library and janitors for library and supreme court, ch. 132, 1885; ch. 187, 1895.
state pension agent, sec. 2, ch. 144, 1885; repealed, sec. 5, ch. 382, 1889.
additional clerks for state superintendent, ch. 358, 1887; ch. 157, 1889; act of 1887 amended, ch. 405, 1891.
per diem, mileage, etc., of board of charities, ch. 408, 1887; repealed, sec. 8, ch. 221, 1891.
game wardens, etc., ch. 456, 1887; repealed, sec. 6, ch. 436, 1891.
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dairy and food commissioner and assistants, secs. 1, 2, ch. 452, 1889.
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state librarian, ch. 170, 1885.
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agent to settle claims for swamp lands, ch. 456, 1885.
state veterinarian, sec. 12, ch. 469, 1885; sec. 7, ch. 76, 1887.
clerk or proof reader for supreme court reporter, ch. 61, 1887.
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executive clerk, ch. 257, 1880.
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state superintendent (conditional), ch. 93, 1895.
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board of immigration, ch. 235, 1895.
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revision of insurance laws, secs. 2, 3, ch. 280, 1895.
contingent fund for enforcement of game law, sec. 46 ch. 221, 1895.
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deep channels commissioner, sec. 2, ch. 382, 1895.

VIII. STATE INSTITUTIONS, COMMISSIONS, ETC.

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national guard, sec. 7, ch. 185, 1880; sec. 8, ch. 162, 1882; ch. 394, 1885; sec. 7, ch. 439, 1885; ch. 124, 1889; ch. 353, 1889; secs. 69, 71, 73, ch. 292, 1893; (sec. 74, ch. 292, 1893, repeals ch. 185, 1880; ch. 162, 1882; ch. 394, 1885; ch. 439, 1885; ch. 353, 1889.)
northern hospital for insane, ch. 131, 1879; ch. 258, 1880; ch. 282, 1881; ch. 4, 1882; ch. 33, 1882; ch. 142, 1883; ch. 71, 1885; ch. 83, 1887; ch. 57, 1889; ch. 257, 1891; ch. 152, 1893; ch. 356, 1895.
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state historical society, printing and binding, ch. 106, 1880; ch. 436, 1887; ch. 515, 1889; ch. 264, 1895; shelving for, ch. 396, 1887; ch. 298, 1895 (erection of building).
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WISCONSIN ODD FELLOWS' MUTUAL LIFE INSURANCE COMPANY —
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APPENDIX A.

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5 amended by ch. 103, 1879; ch. 114, 1879; ch. 165, 1882; ch. 47, 1883; ch. 172, 1883; ch. 194, 1883; ch. 411, 1885; ch. 436, 1885.
12 sec. 1, ch. 39, 1883.
14 sec. 2, ch. 39, 1883.
17 sec. 1, ch. 327, 1883.
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20 ch. 234, 1880; ch. 333, 1881; ch. 310, 1885.
23 ch. 543, 1887; ch. 199, 1889.
24 ch. 315, 1880.
25 ch. 446, 1891.
27 repealed by ch. 107, 1881; re-enacted by ch. 259, 1882; amended by ch. 416, 1885.
29 amended by ch. 244, 1881.
36 sec. 1, ch. 507, 1889.
37 sec. 2, ch. 507, 1889.
38 sec. 3, ch. 507, 1889.
44 ch. 360, 1887; ch. 308, 1889.
45 sec. 4, ch. 507, 1889; sec. 2, ch. 413, 1891
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58 ch. 318, 1880.
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99 sec. 1, ch. 153, 1882.
111a sec. 2, ch. 194, 1879; sec. 1, ch. 314, 1882; ch. 94, 1885; ch. 408, 1885; sec. 1, ch. 522, 1889; repealed by sec. 6, ch. 1, 1893.
112 sec. 2, ch. 314, 1882; ch. 346, 1883; sec. 2, ch. 523, 1889; repealed by sec. 6, ch. 1, 1893.
113 ch. 1, 1879; sec. 2, ch. 153, 1882.
115 repealed by sec. 3, ch. 153, 1882.
116 sec. 3, ch. 153, 1882.
120 amended by ch. 191, 1882.
121 ch. 141, 1879.
128 sec. 1, ch. 300, 1881.
129 ch. 257, 1880.
157 secs. 9, 10, 11, ch. 273, 1891.
159 sec. 12, ch. 273, 1891.
166 ch. 284, 1889.
169 ch. 199, 1889.
170 ch. 31, 1885; ch. 246, 1885.
172 subd. 2, sec. 2, ch. 194, 1879.
173 subd. 3, sec. 2, ch. 194, 1879.
175 ch. 20, 1881.
186 subd. 4, sec. 2, ch. 194, 1879.
196 repealed by ch. 383, 1885.
197 ch. 383, 1885.
198 ch. 383, 1885.
199 ch. 383, 1885.
200 ch. 383, 1885.
201 ch. 383, 1885.
215 amended by ch. 263, 1881.
225 ch. 483, 1889.
238 ch. 444, 1885; repealed by sec. 1, ch. 320, 1891.

Sec.
239 repealed by sec. 1, ch. 320, 1891.
240 sec. 1, ch. 320, 1891.
[illegible] ch. 453, 1891.
254 amended by ch. 264, 1883.
258 repealed in part (subd. 5) by sec. 11, ch. 167, 1881; amended by ch. 82, 1883.
261 amended by ch. 541, 1887.
262 ch. 393, 1889.
266 repealed by sec. 11, ch. 167, 1881.
267 sec. 11, ch. 167, 1881.
268 sec. 11, ch. 167, 1881.
269 sec. 11, ch. 167, 1881.
270 sec. 11, ch. 167, 1881.
271 sec. 11, ch. 167, 1881.
272 sec. 11, ch. 167, 1881.
273 sec. 11, ch. 167, 1881.
274 sec. 11, ch. 167, 1881.
275 sec. 11, ch. 167, 1881.
276 sec. 11, ch. 167, 1881.
277 ch. 158, 1879.
290 amended by ch. 463, 1891; ch. 197, 1895.
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331 ch. 101, 1881; ch. 302, 1882; ch. 348, 1885.
333 ch. 169, 1879.
334 ch. 169, 1879.
336 ch. 16, 1879; repealed by sec. 12, ch. 320, 1883.
337 repealed by sec. 12, ch. 320, 1883.
339 sec. 12, ch. 320, 1883.
339 sec. 12, ch. 320, 1883; amended by ch. 128, 1880; ch. 200, 1880; repealed by sec. 12, ch. 320, 1883.
340 amended by ch. 436, 1887; ch. 515, 1889; ch. 264, 1895.
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351 ch. 118, 1880.
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356 ch. 45, 1879
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375 ch. 106, 1880; ch. 279, 1881; ch. 31, 1885; ch. 343, 1895.
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386 sec. 2, ch. 273, 1889.
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390 ch. 300, 1883.
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406 repealed in part by ch. 98, 1879.
408 sec ch. 214, 1883; amended by ch. 7, 1885; ch. 462, 1891.
409 repealed in part by ch. 98, 1879.
412 amended by ch. 355, 1885.
425 ch. 69, 1882; ch. 298, 1883; ch. 96, 1887.
430 sec. 1, ch. 124, 1885; ch. 29, 1893.
433 ch. 81, 1891.

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436 amended by ch. 93, 1885; ch. 56, 1893.
437 sec. 2, ch. 124, 1885.
440 sec. 1, ch. 251, 1883; sec. 1, ch. 308, 1891.
443 ch. 117, 1879; ch. 254, 1889.
447 ch. 327, 1885.
449 ch. 327, 1885; sec. 1, ch. 79, 1887.
450 ch. 237, 1879; sec. 2, ch. 79, 1887.
454 ch. 457, 1891.
458 ch. 452, 1891.
459 ch. 440, 1887.
461 ch. 155, 1880; amendment repealed by ch. 272, 1881, and subdivision re-enacted.
462 ch. 107, 1879; sec. 1, ch. 72, 1882; sec. 2, ch. 298, 1883; ch. 155, 1880; ch. 370, 1889.
463 sec. 2, ch. 72, 1882; sec. 3, ch. 298, 1883; ch. 156, 1889.
464 sec. 3, ch. 72, 1882; sec. 4, ch. 298, 1883; ch. 154, 1889.
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493 sec. 3, ch. 245, 1879.
494 sec. 4, ch. 245, 1879; ch. 146, 1881; ch. 445, 1891.
496 sec. 5, ch. 245, 1879; ch. 273, 1883; ch. 420, 1885; ch. 466, 1889; ch. 332, 1891.
503 sec. 2, ch. 251, 1883.
509 ch. 195, 1881; ch. 45, 1882.
514 sec. 3, ch. 251, 1883; sec. 2, ch. 308, 1891.
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521 sec. 1, ch. 297, 1887; ch. 293, 1889.
522 sec. 1, ch. 297, 1887.
523 ch. 63, 1883; sec. 1, ch. 297, 1887; ch. 292, 1889.
524 sec. 1, ch. 297, 1887.
525 sec. 1, ch. 297, 1887; ch. 293, 1889.
526 sec. 1, ch. 297, 1887.
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534 sec. 3, ch. 297, 1887; ch. 215, 1893.
535 sec. 3, ch. 297, 1887.
537 sec. 4, ch. 72, 1882; sec. 4, ch. 297, 1887; ch. 293, 1889.
539 sec. 5, ch. 297, 1887.
541 sec. 6, ch. 297, 1887.
544 sec. 7, ch. 297, 1887.
545 sec. 7, ch. 297, 1887.
547 sec. 8, ch. 297, 1887; ch. 293, 1889.
548 sec. 8, ch. 297, 1887.
552 sec. 9, ch. 297, 1887.
554 sec. 3, ch. 124, 1885; ch. 277, 1887.
558 ch. 275, 1887.
561 repealed by sec. 8, ch. 221, 1891.
562 sec. 8, ch. 221, 1891.
563 sec. 8, ch. 221, 1891.
564 amended by ch. 330, 1885; ch. 408, 1887; repealed by sec. 8, ch. 221, 1891.
568 repealed by ch. 208, 1881.
569 ch. 208, 1881.
571 ch. 208, 1881.
572 ch. 208, 1881.
574 ch. 208, 1881.
575 ch. 208, 1881.
577 ch. 208, 1881.
578 ch. 208, 1881.
581 ch. 208, 1881.
582 ch. 208, 1881.
583 ch. 208, 1881.
584 ch. 208, 1881.
585 ch. 208, 1881.
586 ch. 208, 1881.
588 amended by ch. 151, 1882.
590 ch. 229, 1881.
592 repealed by sec. 2, ch. 266, 1880.
593 amended by sec. 1, ch. 266, 1880; sec. 2, ch. 202, 1881; sec. 1, ch. 35, 1883; ch. 228, 1889; ch. 153, 1891.
Sec.
594 repealed by sec. 2, ch. 266, 1880.
602 amended by ch. 96, 1880; amendment repealed by sec. 22, ch. 298, 1881.
604 ch. 187, 1887; ch. 260, 1895.
604k sec. 10, ch. 233, 1881.
610 repealed by sec. 74, ch. 292, 1893.
611 amended by ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
612 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
613 repealed by sec. 74, ch. 292, 1893.
614 sec. 74, ch. 292, 1893.
615 sec. 74, ch. 292, 1893.
616 amended by sec. 1, ch. 439, 1885; repealed by sec. 74, ch. 292, 1893.
618 repealed by sec. 74, ch. 292, 1893.
619 sec. 74, ch. 292, 1893.
620 amended by ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
621 sec. 3, ch. 185, 1880; sec. 1, ch. 298, 1885; repealed by sec. 74, ch. 292, 1893.
622 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
623 ch. 208, 1879; sec. 1, ch. 185, 1880; repealed by sec. 74, ch. 292, 1893.
624 repealed by sec. 74, ch. 292, 1893.
625 sec. 74, ch. 292, 1893.
626 sec. 74, ch. 292, 1893.
627 sec. 74, ch. 292, 1893.
628 sec. 74, ch. 292, 1893.
629 sec. 74, ch. 292, 1893.
630 sec. 74, ch. 292, 1893.
631 amended by ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
632 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
633 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
634 ch. 208, 1879; ch. 300, 1880; repealed by sec. 74, ch. 292, 1893.
635 sec. 5, ch. 185, 1880; ch. 139, 1882; ch. 301, 1882; repealed by sec. 74, ch. 292, 1893.
636 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
637 repealed by sec. 74, ch. 292, 1893.
638 amended by sec. 6, ch. 185, 1880; repealed by sec. 74, ch. 292, 1893.
639 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
640 sec. 2, ch. 185, 1880; sec. 2, ch. 298, 1885; sec. 2, ch. 439, 1885; ch. 344, 1891; repealed by sec. 74, ch. 292, 1893.
641 ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
642 repealed by sec. 74, ch. 292, 1893.
643 sec. 74, ch. 292, 1893.
644 amended by ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
645 sec. 4, ch. 185, 1880; repealed by sec. 74, ch. 292, 1893.
646 repealed by sec. 74, ch. 292, 1893.
647 amended by ch. 208, 1879; repealed by sec. 74, ch. 292, 1893.
648 repealed by sec. 74, ch. 292, 1893.
649 sec. 75, ch. 292, 1893.
655 amended by ch. 257, 1882; ch. 35, 1883.
661a subd. 6, sec. 2, ch. 194, 1879
663 ch. 111, 1883.
664 ch. 199, 1882; ch. 318, 1883; ch. 43, 1885; ch. 403, 1889.
665 ch. 274, 1885.
668 ch. 373, 1895.
670 ch. 110, 1880; sec. 6, ch. 321, 1880; ch. 207, 1881; ch. 306, 1882; ch. 97, 1883; ch. 316, 1883; ch. 155, 1885; ch. 230, 1895.
671 ch. 190, 1879; ch. 73, 1881; ch. 31, 1882; ch. 226, 1882; ch. 287, 1885; ch. 106, 1887; ch. 464, 1889.

Sec.
674 amended by ch. 54, 1883.
677 sec. 1, ch. 342, 1889.
679 ch. 188, 1883.
680 ch. 117, 1880.
686 ch. 162, 1895.
693 ch. 87, 1885; ch. 461, 1891; see ch. 259, 1893.
694 ch. 180, 1883; ch. 260, 1885; ch. 225, 1893.
695 ch. 149, 1885.
699 ch. 317, 1895.
700 ch. 157, 1891.
710 ch. 215, 1880.
715 ch. 229, 1895.
725 ch. 152, 1891.
731 sec. 2, ch. 174, 1880; ch. 175, 1880; (subd. 32) by ch. 176, 1882.
741 ch. 18, 1893.
748 sec. 2, ch. 166, 1887.
752 ch. 138, 1881.
756 ch. 18, 1889.
762 ch. 140, 1881.
764 ch. 278, 1881; ch. 374, 1891.
772 ch. 43, 1887.
776 ch. 69, 1887; sec. 2, ch. 293, 1895.
796 ch. 232, 1881.
821 ch. 113, 1882.
824 ch. 163, 1882.
832 ch. 143, 1882.
837 ch, 310, 1895.
840 sec. 4, ch. 269, 1881.
844 ch. 145, 1881.
846 ch. 45, 1881; ch. 284, 1882.
854 sec. 1, ch. 203, 1880; ch. 92, 1881; ch. 211, 1887.
857 sec. 2, ch. 203, 1880.
861 ch. 3, 1881.
872 ch. 155, 1895.
875 sec. 1, ch. 374, 1885; ch. 16, 1889; ch. 269, 1891.
886 ch. 127, 1880; ch. 75, 1881.
890 ch. 17, 1893.
892 ch. 246, 1882; ch. 45, 1883; ch. 216, 1883; ch. 185, 1885; ch. 374, 1885; ch. 430, 1885; ch. 104, 1889.
904 ch. 174, 1891.
905 ch. 464, 1891; amendment repealed and section re-enacted, ch. 255, 1895.
910 ch. 295, 1889.
911 ch. 243, 1881.
914 ch. 212, 1880.
924 sec. 1, ch. 100, 1895.
925 ch. 55, 1880; sec. 2, ch. 100, 1895.
927 ch. 118, 1895.
931 ch. 173, 1893; ch. 330, 1895.
938 ch. 400, 1887.
946 ch. 333, 1883; sec. 1, ch. 366, 1895.
948 sec. 2, ch. 366, 1895.
960c ch. 8, 1881.
961 sec. 1, ch. 84, 1891.
962 ch. 361, 1889.
965 sec. 2, ch. 84, 1891.
967 ch. 178, 1879.
993 sec. 1, ch. 161, 1885.
994 sec. 2, ch. 161, 1885.
995 sec. 3, ch. 161, 1885.
996 sec. 4, ch. 161, 1885.
997 ch. 58, 1885; sec. 5, ch. 161, 1885.
998 sec. 6, ch. 161, 1885.
999 sec. 7, ch. 161, 1885.
1000 sec. 9, ch. 161, 1885.
1001 sec. 10, ch. 161, 1885.
1002 sec. 11, ch. 161, 1885.
1003 sec. 12, ch. 161, 1885.
1007 ch. 64, 1885.
1010 ch. 226, 1889.
1014 ch. 229, 1880.
1024 ch. 264, 1885.
1026 sec. 2, ch. 342, 1889.
1033 ch. 217, 1885; amendment repealed and section re-enacted, ch. 332, 1887.

Sec.
1038 amended by ch. 376, 1885; ch. 465, 1887; ch. 285, 1889; ch. 363, 1889; ch. 361, 1891; ch. 110, 1893; ch. 182, 1893
1040 ch. 244, 1879; ch. 165, 1880; ch. 354, 1883; ch. 473, 1891; sec. 1, ch. 179, 1893.
1042 ch. 238, 1887.
1047 sec. 1, ch. 268, 1881.
1050 ch. 247, 1881.
1051 ch. 261, 1895.
1053 repealed (with a saving clause) by ch. 438, 1891.
1054 (with a saving clause) by ch 438, 1891.
1060 amended by ch. 74, 1881.
1061 ch. 283, 1887; amendment repealed by ch. 138, 1889.
1066 ch. 479, 1889.
1069 ch. 124, 1879.
1070 ch. 368, 1887.
1074 ch. 293, 1895.
1079 ch. 59, 1883; ch. 517, 1889.
1081 sec. 1, ch. 269, 1881.
1084 ch. 3, 1889.
1085 ch. 104, 1887.
1087 sec. 1, ch. 255, 1879.
1089 sec. 2, ch. 269, 1881.
1090 sec. 3, ch. 269, 1881.
1093 sec. 1, ch. 218, 1893.
1095 ch. 140, 1887.
1110 ch. 188, 1882.
1121 ch. 202, 1879; ch. 43, 1895.
1127 ch. 525, 1887.
1129 sec. 2, ch. 218, 1893.
1130 sec. 1, ch. 95, 1879; ch. 214, 1881; ch. 103, 1887.
1131 sec. 2, ch. 95, 1879.
1143 sec. 2, ch. 268, 1881.
1144 ch. 144, 1893.
1146 ch. 182, 1891.
1164 ch. 341, 1885.
1164a secs. 2 and 3, ch. 255, 1879; ch. 132, 1881.
1164b repealed by sec. 4, ch. 255, 1879.
1165 amended by ch. 415, 1889; ch. 182, 1891; sec. 3, ch. 218, 1893.
1166 ch. 21, 1893.
1170 sec. 3, ch. 95, 1879; ch. 306, 1885; ch. 186, 1887; ch. 446, 1887; ch. 367, 1895.
1172 ch. 225, 1891.
1177 ch. 48, 1882.
1181 subd. 7, sec. 2, ch. 194, 1879.
1187 sec. 1, ch. 309, 1880.
1188 sec. 2, ch. 309, 1880.
1191 subd. 8, sec. 2, ch. 194, 1879.
1192 ch. 182, 1891.
1195 ch. 254, 1882.
1196 ch. 153, 1881.
1200 ch. 182, 1891.
1208 subd. 9, sec. 2, ch. 194, 1879.
1210a repealed by sec. 4, ch. 255, 1879.
1210b amended by sec. 5, ch. 255, 1879; ch. 128, 1881; ch. 283, 1883; ch. 219, 1885.
1210c sec. 6, ch. 255, 1879.
1210d ch. 250, 1882; ch. 153, 1883.
1210f ch. 345, 1887.
1216 repealed by sec. 5, ch. 320, 1882.
1219 amended by ch. 138, 1879.
1223 ch. 103, 1885.
1224 ch. 210, 1887.
1227 ch. 70, 1891.
1236 ch. 148, 1883.
1240 ch. 60, 1880; ch. 163, 1883.
1244 ch. 215, 1882.
1245 ch. 26, 1883.
1249 ch. 179, 1887; ch. 454, 1887.
1252 ch. 251, 1881.
1258 ch. 502, 1887.
1267 sec. 1, ch. 266, 1889.
1270 sec. 2, ch. 266, 1889.

Sec.
1271 amended by sec. 3, ch. 266, 1889.
1272 sec. 4, ch. 266, 1889.
1273 ch. 236, 1883; ch. 126, 1893.
1274 ch. 380, 1885; sec. 5, ch. 266, 1889.
1275 ch. 212, 1887.
1276 ch. 323, 1881.
1280 ch. 137, 1881.
1291 ch. 289, 1885.
1294 ch. 102, 1885.
1299 ch. 273, 1881.
1302 ch. 85, 1883.
1304 subd. 10, sec. 2, ch. 194, 1879; ch. 336, 1883.
1319 ch. 126, 1879; ch. 315, 1881; ch. 187, 1885; ch. 508, 1889.
1320 sec. 1, ch. 345, 1885; ch. 285, 1887; ch. 132, 1893.
1321 sec. 2, ch. 345, 1885.
1323 ch. 214, 1895.
1332 sec. 1, ch. 360, 1891.
1333 sec. 2, ch. 360, 1891.
1334 sec. 3, ch. 360, 1891.
1335 sec. 4, ch. 360, 1891.
1336 ch. 31, 1883.
1337 ch. 183, 1893.
1338 ch. 284, 1895.
1339 ch. 85, 1893.
1359 ch. 66, 1885.
1363 ch. 118, 1881.
1365 ch. 205, 1881; ch. 138, 1885; ch. 230, 1887; ch. 390, 1887.
1384 ch. 208, 1893.
1389 ch. 14, 1895.
1390 ch. 158, 1880; ch. 107, 1880; ch. 119, 1881; ch. 201, 1882; ch. 278, 1889.
1391 sec. 1, ch. 138, 180; ch. 307, 1880.
1392 sec. 2, ch. 138, 1880.
1402 ch. 155, 1893.
1406 ch. 107, 1885.
1418 ch. 18, 1879.
1430 ch. 242, 1887.
1436 ch. 131, 1887; ch. 49, 1891.
1437 ch. 117, 1895.
1447 ch. 42, 1882; ch. 165, 1885; ch. 167, 1889.
1448 ch. 335, 1891.
1452 ch. 211, 1882.
1454 sec. 3, ch. 315, 1887.
1455 ch. 216, 1887.
1463 ch. 437, 1885; ch. 234, 1889; ch. 250, 1893; ch. 233, 1895.
1465 ch. 242, 1879; see ch. 234, 1889.
1472 ch. 32, 1883.
1480 ch. 143, 1880; ch. 228, 1883; see sec. 8, ch. 313, 1887.
1481 see sec. 8, ch. 313, 1887.
1492 amended by ch. 121, 1882.
1502 sec. 6, ch. 233, 1881; ch. 265, 1881.
1503 sec. 6, ch. 233, 1881.
1504 sec. 6, ch. 233, 1881.
1505 sec. 6, ch. 233, 1881.
1512 sec. 1, ch. 216, 1895.
1513 repealed by sec. 3, ch. 216, 1895.
1514 sec. 3, ch. 216, 1895.
1517 amended by sec. 2, ch. 216, 1895.
1524 ch. 518, 1887.
1548 sec. 10, ch. 322, 1882; sec. 1, ch. 296, 1885; ch. 286, 1893.
1550 sec. 1, ch. 322, 1882; sec. 4, ch. 296, 1885.
1551 sec. 2, ch. 322, 1882.
1553 sec. 3, ch. 322, 1882.
1554 ch. 174, 1881; sec. 4, ch. 322, 1882; sec. 1, ch. 438, 1885; ch. 288, 1887.
1555 sec. 5, ch. 322, 1882; sec. 2, ch. 438, 1885.
1556 ch. 312, 1880; ch. 204, 1881. Act of 1881 repealed and section re-enacted, ch. 51, 1882, section amended by sec. 6, ch. 322, 1882; sec. 3, ch. 438, 1885.

Sec.
1557 amended by ch. 174, 1881; sec. 7, ch. 322, 1882; ch. 65, 1895.
1558 ch. 174, 1881.
1560 sec. 8, ch. 322, 1882.
1561 ch. 456, 1891.
1562 ch. 156, 1883.
1565 sec. 9, ch. 322, 1882; ch. 284, 1883.
1570 sec. 1, ch. 100, 1881; ch. 218, 1882; ch. 263, 1885; sec. 1, ch. 510, 1889; sec. 1, ch. 81, 1895.
1571 sec. 2, ch. 510, 1889.
1572 sec. 3, ch. 510, 1889; sec. 2, ch. 81, 1895.
1575 sec. 2, ch. 100, 1881.
1576 sec. 3, ch. 100, 1881; sec. 4, ch. 510, 1889.
1582 ch. 457, 1889.
1583 subd. 11, sec. 2, ch. 194, 1879; sec. 5, ch. 510, 1889.
1585 sec. 1, ch. 291, 1885; amendment repealed and section re-enacted and amended, sec. 2, ch. 334, 1887.
1586 sec. 2, ch. 291, 1885; amendment repealed and section re-enacted and amended, sec. 2, ch. 334, 1887.
1587 repealed by sec. 3, ch. 291, 1885; amendment repealed and section re-enacted and amended, sec. 2, ch. 334, 1887.
1588 amended by sec. 4, ch. 291, 1885; amendment repealed and section re-enacted and amended, sec. 2, ch. 334, 1887.
1589 sec. 5, ch. 291, 1885; amendment repealed and section amended by sec. 2, ch. 334, 1887.
1590 ch. 160, 1883; repealed by sec. 6, ch. 291, 1885; act of 1885 repealed and section re-enacted and amended, sec. 2, ch. 334, 1887.
1600 sec. 1, ch. 252, 1881.
1601 sec. 1, ch. 239, 1881.
1602 sec. 2, ch. 239, 1881.
1623 repealed by ch. 57, 1880.
1624 ch. 57, 1880.
1625 ch. 57, 1880.
1626 ch. 254, 1879.
1627 ch. 254, 1879.
1628 ch. 254, 1879.
1629 amended by ch. 106, 1879.
1630 repealed by ch. 254, 1879.
1658 amended by sec. 1, ch. 181, 1885.
1659 sec. 2, ch. 181, 1885.
1660 sec. 3, ch. 181, 1885.
1661 sec. 4, ch. 181, 1885.
1662 sec. 5, ch. 181, 1885.
1665 by ch. 121, 1881; sec. 1, ch. 55, 1893.
1668 sec. 2, ch. 55, 1893.
1675 subd. 12, sec. 2, ch. 194, 1879.
1680 see ch. 87, 1893.
1688 amended by ch. 61, 1893.
1695 ch. 276, 1893.
1697 ch. 251, 1885; ch. 317, 1887.
1700 subd. 13, sec. 2, ch. 194, 1879.
1701 ch. 70, 1882.
1702 ch. 548, 1887.
1728 ch. 135, 1883.
1730 sec. 1, ch. 225, 1881; sec. 1, ch. 193, 1882; ch. 112, 1885; ch. 387, 1889; ch. 54, 1895.
1733 sec. 2, ch. 225, 1881; sec. 2, ch. 193, 1882; ch. 112, 1885; ch. 288, 1885; sec. 2, ch. 387, 1889; ch. 54, 1895.
1738 ch. 441, 1889.
1743 ch. 266, 1885.
1751 ch. 414, 1891.
1753 ch. 93, 1881; ch. 121, 1895.
1765 ch. 59, 1893.
1771 ch. 220, 1883; ch. 180, 1887; ch. 352, 1887; sec. 1, ch. 403, 1891.

Sec.
1772 amended by ch. 7, 1879; ch. 143, 1881; ch. 241, 1883; ch. 256, 1885; ch. 353, 1885; hc. 237, 1895.
1775 ch. 133, 1881, ch. 70, 1883; ch. 234, 1891; ch. 283, 1891; sec. 2, ch. 403, 1891.
1777 ch. 318, 1882.
1780 ch. 211, 1879; ch. 192, 1893.
1790 ch. 66, 1895.
1791 ch. 118, 1883.
1792 repealed by sec. 2, ch. 300, 1881.
1794 amended by ch. 193, 1885; ch. 459, 1889.
1797 ch. 235, 1880; ch. 224, 1881.
1802 ch. 370, 1891.
1807 sec. 1, ch. 249, 1887; ch. 516, 1889.
1808 ch. 107, 1887; ch. 379, 1889.
1810 ch. 107, 1880; ch. 193, 1881.
1815 ch. 318, 1881; ch. 46, 1893.
1816 repealed with a saving clause, by ch. 232, 1880.
1828 (subd. 9). amended by ch. 185, 1883.
1831 not applicable when, ch. 276, 1883.
1833 amended by ch. 260, 1880; ch. 218, 1882; ch. 293, 1883; ch. 308, 1895.
1836 ch. 167, 1893.
1858 ch. 266, 1882.
1862 ch. 219, 1881.
1863 ch. 221, 1880; ch. 387, 1891.
1886 sec. 1, ch. 213, 1887; amendment repealed and section re-enacted, ch. 269, 1889.
1887 sec. 2, ch. 213, 1887; amendment repealed and section re-enacted, ch. 269, 1889.
1888 sec. 3, ch. 213, 1887; amendment repealed and section re-enacted, ch. 269, 1889.
1892 sec. 4, ch. 213, 1887; amendment repealed and section re-enacted, ch. 269, 1889.
1896 ch. 299, 1891.
1897 ch. 33, 1887.
1915 ch. 335, 1889; ch. 325, 1895.
1926 ch. 308, 1885; ch. 242, 1889; ch. 105, 1895.
1927 sec. 1, ch. 421, 1885; ch. 212, 1889; ch. 311, 1891.
1928 ch. 28, 1880; ch. 275, 1895.
1929 sec. 1, ch. 146, 1882.
1931 ch. 134, 1880; ch. 48, 1881; ch. 187, 1882; ch. 189, 1883; sec. 2, ch. 421, 1885; ch. 217, 1887; ch. 204, 1889; ch. 227, 1893.
1932 sec. 2, ch. 146, 1882.
1933 ch. 13, 1881; sec. 4, ch. 146, 1882.
1934 sec. 3, ch. 146, 1882; ch. 253, 1889; ch. 66, 1893.
1935 ch. 251, 1879; ch. 42, 1881; ch. 240, 1882; section and amendments repealed by ch. 476, 1889, a substitute enacted.
1937 sec. 6, ch. 146, 1882.
1938 sec. 2, ch. 48, 1881; 205, 1882; ch. 168, 1883; sec. 3, ch. 421, 1885.
1939 ch. 26, 1895.
1940 ch. 211, 1880; ch. 260, 1881; sec. 4, ch. 421, 1885; ch. 38, 1889.
1941 sec. 5, ch. 421, 1885.
1941c ch. 5, 1887.
1946c ch. 126, 1880; ch. 166, 1882.
1947 ch. 101, 1885; ch. 309, 1887.
1948 ch. 309, 1887; sec. 1, ch. 546, 1887.
1949 ch. 309, 1887; sec. 2, ch. 546, 1887.
1950 ch. 309, 1887.
1951 ch. 204, 1882; ch. 309, 1887; ch. 115, 1893
1952 ch. 309, 1887.
1953 ch. 309, 1887.
1954 ch. 309, 1887.
1955 ch. 309, 1887.
1956 subd. 14, sec. 2, ch. 194, 1879.

Sec.
1967 amended by sec. 4, ch. 300, 1881.
1971 ch. 319, 1887; ch. 302, 1891.
1972 ch. 162, 1879
1987 ch. 168, 1889; ch. 328, 1889; ch. 102, 1895; ch. 163, 1895.
1992 ch. 79, 1883; ch. 312, 1889.
1997 ch. 70, 1879; ch. 252, 1879; ch. 385, 1885.
2001 ch. 94, 1879; ch. 386, 1895.
2002 ch. 55, 1883; ch. 19, 1885; ch. 204, 1887; ch. 208, 1887.
2009 sec. 1, ch. 93, 1887.
2010 sec. 1, ch. 1, 1882; ch. 127, 1885.
2011 sec. 2, ch. 1, 1882.
2012 sec. 3, ch. 1, 1882.
2014 secs. 2, 3, ch. 93, 1887.
2023 ch. 523, 1889.
2024 striking out note, and inserting another note, by subd. 15, ch. 194, 1879.
2039 ch. 551, 1887; ch. 359, 1891; ch. 102, 1893.
2081 ch. 290, 1883.
2172 ch. 265, 1882; ch. 75, 1893.
2187 ch. 109, 1885.
2212 ch. 327, 1887.
2213 ch. 345, 1889.
2216 ch. 129, 1880.
2219 ch. 293, 1891.
2220 subd. 16, sec. 2, ch. 194, 1879.
2225 subd. 17, sec. 2, ch. 194, 1879; ch. 365, 1885.
2256 ch. 100, 1883.
2262 ch. 474, 1891.
2265 ch. 60, 1885; ch. 279, 1887.
2270 ch. 219, 1883; ch. 23, 1893.
2271 ch. 301, 1883.
2280 ch. 118, 1891.
2282 ch. 120, 1895.
2283 subd. 18, sec. 2, ch. 194, 1879.
2313 ch. 218, 1885; ch. 218, 1887.
2342 ch. 86, 1895.
2345 ch. 99, 1881.
2347 ch. 271, 1889; ch. 376, 1891.
2356 sec. 1, ch. 297, 1881; amendment repealed by ch. 230, 1882.
2400 ch. 132, 1885; ch. 187, 1895.
2423 ch. 37, 1881; ch. 55, 1882; ch. 288, 1883.
2424 ch. 9, 1879; by ch. 32, 1879; ch. 43, 1879; ch. 52, 1879; ch. 61, 1879; ch. 206, 1879; ch. 109, 1880; ch. 5, 1881; ch. 35, 1881; ch. 37, 1881; ch. 63, 1881; ch. 159, 1881; ch. 238, 1881; ch 3, 1882; ch. 125, 1882; ch. 140, 1882; ch. 179, 1882; ch. 3, 1885; ch. 17, 1885; ch. 402, 1887; ch. 468, 1887; ch. 66, 1889.
2426 ch. 141, 1885; sec. 1, ch. 294, 1889; ch. 336, 1891.
2433 ch. 10, 1881; ch. 151, 1881; ch. 107, 1883; ch. 110, 1885; ch. 506, 1887; ch. 121, 1889; ch 105, 1891.
2434 sec. 1, ch. 369, 1885.
2437 ch. 89, 1880.
2438 ch. 128, 1889.
2439 ch. 115, 1891
2447 ch. 359, 1895.
2449 ch. 42, 1883.
2452 ch. 310, 1882; ch. 47, 1893.
2457 ch. 260, 1889; sec. 2, ch. 496, 1889; ch. 341, 1891.
2464 ch. 41, 1882; ch. 443, 1887; ch. 85, 1891; ch. 131, 1893.
2465 sec. 1, ch. 31, 1879; ch. 60, 1885.
2467 sec. 2, ch. 31, 1879; ch. 419, 1887; ch. 20, 1889; sec. 3, ch. 261, 1889.
2468 repealed by sec. 3, ch. 31, 1879.
2469 amended by sec. 4, ch. 31, 1879; ch. 225, 1879; ch. 18, 1881; ch. 276, 1881.
2475 sec. 5, ch. 31, 1879; ch. 219, 1880.

Sec.
2478 repealed in part by ch. 86, 1880.
2479 amended by ch. 147, 1895.
2482 sec. 6, ch. 31, 1879; ch. 471, 1887.
2483 repealed in part by sec. 3, ch. 183, 1880; (see ch. 262, 1880) amended by ch. 152, 1881; repealed in part by ch. 176, 1889.
2484 amended by sec. 1, ch. 150, 1882.
2486 repealed by sec. 4, ch. 150, 1882.
2489 amended by sec. 1, ch. 216, 1880.
2490 sec. 2, ch. 216, 1880.
2494 sec. 2, ch. 150, 1882.
2497 sec. 3, ch. 150, 1882.
2498 sec. 3, ch. 216, 1880.
2499 sec. 1, ch. 256, 1879; sec. 1, ch. 7, 1895.
2500 sec. 2, ch. 256, 1879.
2501 sec. 3, ch. 256, 1879; ch. 265, 1891; section and acts cited repealed by sec. 10, ch. 7, 1895.
2502 sec. 2, ch. 7, 1895.
2505 sec. 1, ch. 257, 1893; sec. 3, ch. 7, 1895, repealing act of 1893.
2506 sec. 2, ch. 257, 1893; sec. 4, ch. 7, 1895, repealing act of 1893.
2507 sec. 1, ch. 103, 1883; ch. 228, 1891; sec. 5, ch. 7, 1895, repealing ch. 228, 1891.
2508 repealed by sec. 1, ch. 195, 1893.
2509 amended by sec. 2, ch. 103, 1883; sec. 6, ch. 7, 1895.
2511 sec. 4, ch. 256, 1879; ch. 294, 1891; sec. 7, ch. 7, 1895, repealing act of 1891.
2513 repealed in part by ch. 200, 1879; amended by ch. 378, 1887; ch. 338, 1891; sec. 3, ch. 257, 1893; sec. 8, ch. 7, 1895, repealing acts of 1891 and 1893.
2514 amended by ch. 130, 1881; ch. 220, 1882.
2523 ch. 27, 1880; ch. 463, 1889.
2525 ch. 270, 1883; ch. 40, 1893.
2532 sec. 1, ch. 140, 1889.
2533 sec. 2, ch. 140, 1889.
2535 sec. 3, ch. 140, 1889; sec. 2, ch. 294, 1889.
2536 sec. 4, ch. 140, 1889.
2537 ch. 126, 1895.
2545 sec. 5, ch. 140, 1889.
2573 ch. 245, 1887.
2576 subd. 19, sec. 2, ch. 194, 1879; ch. 142, 1885.
2577 ch. 146, 1879.
2586 ch. 144, 1881; ch. 63, 1885; ch. 310, 1891.
2590 ch. 25, 1895; ch. 150, 1895.
2610 ch. 41, 1883.
2614 ch. 327, 1882; ch. 142, 1889.
2619 ch. 111, 1885; ch. 303, 1893.
2624 ch. 366, 1885.
2625 sec. 1, ch. 306, 1887.
2626 ch. 166, 1889.
2628 sec. 2, ch. 306, 1887.
2637 ch. 552, 1887; ch. 252, 1891.
2681 subd. 20, sec. 2, ch. 194, 1879.
2682 subd. 21, sec. 2, ch. 194, 1879.
2683 subd. 22, sec. 2, ch. 194, 1879.
2684 subd. 23, sec. 2, ch. 194, 1879.
2728 ch. 6, 1883.
2731 ch. 233, 1880; ch. 256, 1880; ch. 39, 1885.
2732 ch. 9, 1895.
2742 ch. 329, 1881.
2747 ch. 343, 1885.
2748 ch. 157, 1881.
2753 sec. 1, ch. 86, 1881; ch. 286, 1885.
2758 repealed by sec. 3, ch. 249, 1883.
2762 amended by ch. 314, 1885.
2768 sec. 2, ch. 86, 1881.
2771 ch. 178, 1885; ch. 220, 1889.
2815 subd. 24, sec. 2, ch. 194, 1879; ch. 252, 1895.

Sec.
2849 amended by ch. 9, 1881.
2865 sec. 1, ch. 242, 1893.
2918 (subd. 6) amended by ch. 52, 1881.
2922 amended by ch. 147, 1880.
2925 ch. 22, 1881.
2927 ch. 91, 1880.
2943 repealed in part by ch. 258, 1891.
2969 amended by subd. 25, sec. 2, ch. 194, 1879.
2982 ch. 63, 1879; ch. 117, 1882; amended by ch. 56, 1881; ch. 336, 1885; ch 536, 1887; ch. 93, 1893.
2983 sec. 2, ch. 317, 1882; amendment repealed by sec. 2, ch. 141, 1883.
3030 ch. 408, 1891.
3065 ch. 116, 1891.
3069 ch. 212, 1895.
3070 sec. 2, ch. 242, 1893.
3074 ch. 252, 1885.
3078 ch. 277, 1889.
3087 ch. 305, 1880.
3104 ch. 289, 1891.
3149 sec. 1, ch. 203, 1881.
3150 sec. 2, ch. 203, 1881.
3151 sec. 3, ch. 203, 1881.
3152 sec. 4, ch. 203, 1881.
3158 ch. 161, 1895.
3159 subd. 26, sec. 2, ch. 194, 1879.
3164 ch. 186, 1889; sec. 1, ch. 303, 1891.
3180 ch. 190, 1882.
3186 ch. 88, 1893.
3187 ch. 426, 1885.
3189 ch. 307, 1882.
3252 ch. 368, 1885.
3314 sec. 1, ch. 328, 1881; ch. 349, 1885; ch. 442, 1887; ch. 466, 1887; ch. 275, 1889; ch. 390, 1889; sec. 1, ch. 256 1893.
3315 ch. 312, 1885; ch. 535, 1887; ch. 333, 1889; ch. 321, 1891.
3318 ch. 287, 1881; ch. 84, 1882; ch. 109, 1895.
3321 sec. 2, ch. 328, 1881; sec. 2, ch. 256, 1893.
3322 sec. 3, ch. 328, 1881; sec. 3, ch. 256, 1893.
3324 sec. 4, ch. 328, 1881; sec. 4, ch. 256, 1893; ch. 209, 1895.
3326 ch. 187, 1880.
3329 ch. 167, 1879; ch. 62, 1880; sec. 1, ch. 330, 1881; sec. 1, ch. 319, 1882; sec. 1, ch. 469, 1885; repealed by sec. 18, ch. 413, 1889.
3330 ch. 167, 1879; ch. 62, 1880; repealed by sec. 6, ch. 330, 1881; sec. 6, ch. 319, 1882; re-enacted and amended by sec. 2, ch. 469, 1885; repealed by sec. 18, ch. 413, 1889.
3331 ch. 192, 1880; sec. 2, ch. 330, 1881; sec. 2, ch. 319, 1882; ch. 192, 1885; sec. 3, ch. 469, 1885; repealed by sec. 18, ch. 413, 1889.
3332 ch. 454, 1889.
3333 sec. 3, ch. 330, 1881; by sec. 3, ch. 319, 1882; sec. 4, ch. 469, 1885.
3335 sec. 4, ch. 330, 1881; by sec. 4, ch. 319, 1882; sec. 5; ch. 469, 1885.
3337 ch. 141, 1881.
3340 sec. 5, ch. 319, 1882; sec. 6, ch. 469, 1885.
3351 ch. 76, 1881.
3358 ch. 320, 1882.
3368 ch. 191, 1880.
3418 ch. 185, 1881.
3452 ch. 231, 1880.
3477 sec. 2, ch. 369, 1885.
3533 sec. 2, ch. 303, 1891.
3536 ch. 267, 1887.
3569 ch. 196, 1887.
3571 ch. 197, 1887.
3594 ch. 372, 1887.
3608 ch. 261, 1883; ch. 235, 1887.
3612 subd. 27, sec. 2, ch. 194, 1879.

Sec.
3616 amended by ch. 197, 1883.
3626 ch. 197, 1882.
3627 ch. 39, 1893.
3669 ch. 31, 1887.
3702 ch. 191, 1887.
3718 ch. 405, 1887.
3721 sec. 1, ch. 313, 1881; ch. 73, 1893.
3722 sec. 2, ch. 313, 1881; ch. 378, 1895.
3723 ch. 190, 1887.
3725 ch. 207, 1880.
3726 ch. 24, 1883.
3728 sec. 2, ch. 73, 1893.
3729 sec. 3, ch. 73, 1893.
3754 sec. 3, ch. 166, 1887.
3756 ch. 66, 1881.
3760 sec. 2, ch. 66, 1881.
3761 sec. 3, ch. 66, 1881.
3763 sec. 4, ch. 166, 1887.
3769 ch. 216, 1891.
3774 sec. 1, ch. 174, 1880.
3775 ch. 106, 1891.
3788 ch. 165, 1895.
3807 ch. 30, 1893.
3812 ch. 164, 1895.
3819 ch 320, 1887; ch. 70, 1889.
3839 repealed by sec. 2, ch. 171, 1893.
3840 amended by sec. 3, ch. 496, 1889; ch 171, 1893.
3841 ch. 502, 1889.
3875 sec. 1, ch. 65, 1880.
3876 sec. 1, ch. 342, 1891.
3877 sec. 2, ch. 342, 1891; sec. 1, ch. 377, 1895.
3878 sec. 2, ch. 65, 1880.
3908 sec. 1, ch. 166, 1895.
3910 sec. 2, ch. 166, 1895.
3931 sec. 2, ch. 377, 1895.
3962 ch 196, 1895.
3965 ch. 201, 1887.
3966 ch. 71, 1893.
3968 ch. 156, 1891.
3970 ch. 355, 1887.
3976 ch. 84, 1893; ch. 185, 1895.
3982 ch. 27, 1891; ch. 287, 1893.
3992 ch. 68, 1889.
3998 sec. 3, ch. 342, 1891.
3999 sec. 4, ch. 342, 1891.
4021 sec. 1, ch. 45, 1887; sec. 1, ch. 62, 1893
4022 sec. 2, ch. 45, 1887; ch. 18, 1895.
4024 sec. 2, ch. 62, 1893.
4031 ch. 248, 1891.
4045 ch. 395, 1887.
4049 ch. 246, 1879.
4053 subd. 28, sec. 2, ch. 194, 1879.
4062 ch. 360, 1895.
4067 ch. 232, 1885.
4086 ch. 165, 1881.
4096 ch. 194, 1882; ch. 321, 1885; ch. 348, 1889; ch. 141, 1893.
4153 ch. 18, 1880.
4167 ch. 123, 1882.
4203 ch. 119, 1883.
4222 ch. 149, 1895.
4253 ch. 280, 1887.
4269 ch. 239, 1882; ch. 95, 1889.
4276 subd. 29, sec. 2, ch. 194, 1879.
4286 sec. 1, ch. 313, 1882.
4288 sec. 2, ch. 313, 1882.
4300 sec. 5, ch. 166, 1887.
4304 subd. 30, sec. 2, ch. 194, 1879.
4359 ch. 189, 1879.
4376 ch. 79, 1881.
4378 ch. 238, 1889.
4380 ch. 243, 1887.

Sec.
4381 amended by ch. 368, 1889; ch. 350, 1891; sec. 2, ch. 370, 1895.
4382 ch. 193, 1887; ch. 368, 1889; sec. 1, ch. 370, 1895.
4385 ch. 330, 1883.
4387 ch. 257, 1883; ch. 210, 1889.
4389 ch. 265, 1880.
4394 ch. 20, 1883.
4395 ch. 267, 1880.
4398 ch. 189, 1882.
4413 ch. 19, 1883.
4415 ch. 67, 1880; ch. 278, 1887.
4445 ch. 358, 1891.
4449 ch. 295, 1880.
4451 ch. 94, 1880.
4490 sec. 1, ch. 230, 1880; ch. 250, 1889.
4494 sec. 2, ch. 230, 1880.
4504 ch. 223, 1885.
4509 ch. 100, 1893.
4558 ch. 162, 1881.
4559 ch. 447, 1885.
4560 ch. 218, 1881; ch. 285, 1882.
4561 repealed by sec. 6, ch. 321, 1880.
4562 sec. 7, ch. 375, 1887.
4563 sec. 7, ch. 192, 1879.
4564 amended by ch. 277, 1880; ch. 312, 1881; repealed by sec. 12, ch. 374, 1887.
4565 ch. 170, 1880; amendment repealed and section re-enacted, ch. 207, 1883; amended by ch. 328, 1883; ch. 351, 1885; repealed by sec. 12, ch. 374, 1887.
4566 repealed by sec. 12, ch. 374, 1887.
4567 amended by ch. 56, 1891.
4575 ch. 406, 1889.
4575a ch. 50, 1885; ch. 355, 1895.
4580 ch. 73, 1882.
4589 ch. 116, 1887; ch. 338, 1889.
4633 ch. 72, 1881; ch. 346, 1885.
4653 ch. 257, 1889.
4654 ch. 173, 1881.
4667 ch. 125, 1880.
4680 ch. 137, 1895.
4690 ch. 135, 1895.
4697 ch. 164, 1883.
4719 ch. 274, 1889.
4733 ch. 390, 1889.
4738 ch. 141, 1889.
4745 sec. 1, ch. 235, 1891.
4746 sec. 2, ch. 235, 1891.
4760 ch. 66, 1880.
4765 ch. 31, 1880.
4769 ch. 201, 1885.
4772 ch. 117, 1885.
4793 ch. 143, 1889.
4794 ch. 379, 1885.
4809 ch. 353, 1895.
4843 ch. 259, 1895.
4865 ch. 12, 1883.
4866 ch. 137, 1887.
4867 ch. 137, 1887.
4868 ch. 137, 1887.
4869 ch. 137, 1887.
4870 ch. 339, 1885.
4882 ch. 147, 1881; ch. 12, 1883; repealed ch. 110, 1882.
4887 repealed by sec. 1, ch. 298, 1881.
4942 amended by ch. 158, 1882; ch. 217, 1889.
4944 ch. 108, 1893.
4964 repealed by sec. 22, ch. 298, 1881.
4965 sec. 22, ch. 298, 1881.
4968 amended by ch. 206, 1885.
4970 ch. 242, 1881.
4971 subd. 31, sec. 2, ch. 194, 1879.

APPENDIX B.

General Laws Expressly Amended or Repealed by the Legislation of 1879-1895, inclusive.

1847.

Page 5 (charter of Lawrence institute), am. by ch. 16, 1882.

1849.

Ch. 65 (Wisconsin bridge company), am. by ch. 331, 1889.

1851.

Ch. 32 (bridge across Fox river at Depere), rep. by ch. 332, 1881.

1852.

Ch. 43 (Milwaukee Mechanics' Mutual Insurance company), am. by ch. 245, 1883.

1861.

Ch. 175 (railroads), rep. by ch. 356, 1885.

1863.

Ch. 23, sec. 2 (road district number one, town of Winchester, Winnebago county), rep. by ch. 84, 1881.
Ch. 323 (mutual life insurance company of Wisconsin), am. by ch. 328, 1887.

1864.

Ch. 409 (authorizing the village of Depere and the town of Lawrence to purchase or lease a bridge across Fox river), am. by ch. 157, 1880; rep. by ch. 332, 1881.
Ch. 427 (vacation of Smith's addition to Janesville), rep. by ch. 258, 1893.
Ch. 478 (military road, Fort Howard to Michigan state line), am. by ch. 31, 1893.

1865.

Ch. 233 (charter of Watertown), am. by ch. 46, 1879; ch. 156, 1879; ch. 50, 1882; ch. 95, 1885.

1866.

Ch. 51 (use of moneys arising from sale of swamp lands in Manitowoc and Calumet counties), am. by ch. 119, 1880; trust created by, terminated, ch. 352, 1883.

1867.

Ch. 22 (conveyance of lands in Marathon county in satisfaction of its indebtedness to state), meaning of, declared, ch. 83, 1883.
Ch 151, secs. 1, 2 (collection of delinquent village taxes), modified and re-enacted, sec. 3, ch. 194, 1879.

1868.

Ch. 105 (Sturegon Bay and Lake Michigan ship canal and harbor), am. by ch. 31, 1881.

1870.

Ch. 24 (charter of Superior boom company), am. by ch. 317, 1880; ch. 295, 1881.

1872.

Ch. 93 (improvement of capitol park), rep. by ch. 139, 1879.

1873.

Ch. 4 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 19 (bridge across Wolf river), conditionally repealed by ch. 331, 1883.
Ch. 59 (charter of Prairie du Chien), am. by ch. 166, 1881.
Ch. 123, secs. 1-5 (collection of sidewalk and gutter taxes in villages), modified and re-enacted, sec. 3, ch. 194, 1879.
Ch. 148 (charter of Boscobel), am. by ch. 111, 1879; ch. 37, 1880; ch. 34, 1881.
Ch. 151 (charter of Neenah), am. by ch. 88, 1879.
Ch. 153 (dam across Little Wolf river), am. by ch. 226, 1887.
Ch. 161 (charter of Fort Howard), am. by ch. 215, 1881; ch. 59, 1882; ch. 487, 1889.
Ch. 167 (Stevens Point), revived in part by sec. 10, ch. 113, 1889.
Ch. 193 (warden of state prison), am. by ch. 172, 1893.
Ch. 219 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 237 (Mineral Point), am. by ch. 302, 1885.
Ch. 282 (Sheboygan), rep. by ch. 124, 1887.
Ch. 298 (bridge by Wood county), rep. by ch. 173, 1889.

1874.

Ch. 57 (charter of city of Columbus), revised by ch. 181, 1883.
Ch. 81 (Taylor orphan asylum), am. by ch. 9, 1882.
Ch. 106 (Eau Claire), am. by ch. 328, 1885.
Ch. 126 (secs. 8, 9, 10) (railway land grant), rep. by sec. 7, ch. 10, 1882.
Ch. 127 (charter of Menasha), am. by ch. 217, 1880; ch. 63, 1882; ch. 225, 1889; am. and revised, ch. 123, 1891.
Ch. 133 (charter of Oconto), am. by ch 112, 1880; both acts rep. by ch. 55, 1882.

Ch. 137 (abstract of tax sales in Waupaca county), rep. by ch. 161, 1883.
Ch. 171 (fishing in Lake Koshkonong), rep. by sec. 2, ch. 285, 1882.
Ch. 183 (police court of Eau Claire), am. by ch. 16, 1880.
Ch. 184 (Milwaukee charter). See index, page 93.
Ch. 203 (Sheboygan), rep. by ch. 124, 1887.
Ch. 236 (Sheboygan), am. by secs. 8, 9, ch. 305, 1885; rep. by ch. 124, 1887.
Ch. 250 (improvement of west branch of Wolf river), am. by ch. 251, 1882.
Ch. 278 (Shawano), am. by ch. 323, 1883; rep. by ch. 159, 1885.
Ch. 288 (improvement of Thornapple river), am. by ch. 163, 1881; rights confirmed to heirs of grantee, ch. 95, 1883.
Ch. 321 (Grand Rapids), am. by ch. 103, 1889; ch. 388, 1891.
Ch. 327 (swamp and overflowed lands in Manitowoc and Calumet counties), am. by ch. 78, 1879.

1875.

Ch. 2 (charter of Green Bay), sec. 14 re-enacted, ch. 285, 1880.
Ch. 48 (booms upon St. Croix lake and river), am. by ch. 226, 1880.
Ch. 59 (charter of Oconomowoc), rep. by sec. 17, ch. 239, 1879.
Ch. 76 (preservation of fish), rep. by sec. 6, ch. 321, 1880.
Ch. 84 (charter of Boscobel), sec. 1, rep. by ch. 37, 1880.
Ch. 111 (Sheboygan), rep. by ch. 124, 1887.
Ch. 134 (bounty for steam road wagon), rep. by ch. 193, 1879.
Ch. 144 (charter of Milwaukee), am. by ch. 254, 1881; ch. 324, 1882; ch. 310, 1883.
Ch. 151 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 178 (organization of Taylor county), am. by ch. 69, 1879.
Ch. 182 (preservation of fish in Madison lakes), am. by ch. 39, 1879.
Ch. 228 (charter of Manitowoc), rep. by sec. 12, ch 12, of ch. 186, 1879; sec. 1, ch. 95, 1891.
Ch. 238 (annual meeting of board of St. Croix county), rep. by sec. 2, ch. 93, 1879.
Ch. 258 (charter of Waupaca), am. by ch. 81, 1879; ch. 210, 1880.
Ch. 262 (charter of Green Bay), am. by ch. 285, 1880; rep. by ch. 169, 1882.
Ch. 269 (296) (dam across Little Wolf river, Waupaca county), rep. by sec. 4, ch. 297, 1882.

1876.

Ch. 10 (Winnebago county court), rep. by sec. 4, ch. 202, 1887.
Ch. 25 (municipal court of Chippewa county), revised by ch. 381, 1885.
Ch. 47 (charter of Appleton), am. by ch. 148, 1879; ch. 114, 1881; ch. 187, 1881; rep. by ch. 441, 1885.
Ch. 56 (Sheboygan), rep. by ch. 124, 1887.
Ch. 92 (game), rep. by ch. 392, 1885.
Ch. 99 (printing for Waupaca county), rep. by ch. 66, 1879.
Ch. 111 (charter of Grand Rapids), am. by ch. 7, 1883.
Ch. 121 (distribution of geological report), am. by ch. 301, 1880.
Ch. 122 (charter of Portage), am. by ch. 179, 1879; ch. 236, 1880; ch. 198, 1881; ch. 122, 1876, rep. by sec. 141, ch. 132, 1882.
Ch. 130 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 135 (charter of La Crosse), am. by ch. 80, 1879; ch. 179, 1881; ch. 183, 1881; ch. 173, 1882; ch. 386, 1885; rep. by ch. 162, 1887.
Ch. 144 (trust fund loan to Wood county), am. by ch. 168, 1879.
Ch. 146 (municipal court of Marathon county), rep. by ch. 115, 1879; see ch. 79, 1882, amending sec. 8, ch. 146, 1876.
Ch. 156 (Taylor orphan asylum), am. by ch. 62, 1881.
Ch. 179 (charter of Green Bay), am. by ch. 285, 1880.
Ch. 182 (bounty for steam road wagons), rep. by ch. 193, 1879.
Ch. 228 (Sturgeon Bay and Lake Michigan ship canal and harbor company), am. by ch. 218, 1879.
Ch. 231 (charter of Eau Claire), am. by ch. 181, 1880; ch. 263, 1880; ch. 149, 1883; ch. 6, 1885.
Ch. 238 (charter of Waupaca), am. by ch. 212, 1881; ch. 97, 1885; ch. 246, 1887.
Ch. 253 (care of poor in Milwaukee county), am. by ch. 267, 1885.
Ch. 271 (Sheboygan), rep. by ch. 124, 1887.
Ch. 287 (dam in Burnett county), rep. by ch. 39, 1881.
Ch. 298 (charter Wisconsin river improvement company), am. by ch. 292, 1880.
Ch. 311 (secs. 9, 13) (charter of Milwaukee), rep. by sec. 58, ch. 324, 1882; chapter am. by ch. 308, 1883; ch. 460, 1885.
Ch. 313 (charter of Racine), am. by ch. 59, 1879; ch. 180, 1880; ch. 123, 1881; ch. 133, 1882; ch. 77, 1883; ch. 216, 1883; ch. 226, 1885; ch. 122, 1887; am. and revised, ch. 40, 1891.
Ch. 333 (charter of Milwaukee & Beloit Railroad company), am. by ch. 91, 1879.
Ch. 348 (Firemen's association of Menasha), rep. by sec. 2, ch. 310, 1887.
Ch. 367 (protection of fish in Baraboo river), rep. by ch. 224, 1880.

1877.

Ch. 6 (La Crosse), rep. by ch. 162, 1887.
Ch. 10 (Eau Claire), am. by ch. 328, 1885.
Ch. 26 (Racine), am. by ch. 226, 1885; ch. 122, 1887.
Ch. 29 (Sheboygan), rep. by ch. 124, 1887.
Ch. 39 (charter of Milwaukee chamber of commerce), am. by ch. 102, 1879.
Ch. 80 (Milwaukee charter), am. by ch. 324, 1882.
Ch. 89 (charter of Chilton), am. by ch. 157, 1879; ch. 173, 1880; rep. in part by ch. 66, 1883; ch. 427, 1885; ch. 93, 1889.
Ch. 96 (care of poor in Milwaukee county), am. by ch. 267, 1885.
Ch. 97 (game), rep. by ch. 392, 1885.
Ch. 103 (Chippewa Falls license fund), rep. by ch. 105, 1879.
Ch. 123 (charter of Oshkosh), am. by ch. 38, 1880; ch. 15, 1881; ch. 89, 1881; ch. 98, 1882.
Ch. 126 (charter of Green Bay), am. by ch. 285, 1880.
Ch. 160 (charter of Fond du Lac), rep. in part by ch. 36, 1879.
Ch. 162 (charter of New London), am. by ch. 100, 1880; ch. 293, 1881; ch. 87, 1882; ch. 221, 1885; ch. 162, 1889; ch. 163, 1889; ch. 45, 1891.
Ch. 167 (charter of Manitowoc), rep. by sec. 12, ch. 12, of ch. 186, 1879; sec. 1, ch. 95, 1891.
Ch. 181 (charter of Manitowoc), rep. by sec. 12, ch. 12, of ch. 186, 1879; sec. 1, ch. 95, 1891.
Ch. 193 (charter of Plymouth), am. by ch. 135, 1879; ch. 220, 1885; ch. 11, 1891.

Ch. 223 (railroad debt of Watertown), rep. by sec. 1, ch. 169, 1881.
Ch. 227 (salaries of deputy sheriffs in Milwaukee county), am. by ch. 207, 1882; ch. 301, 1891; ch. 247, 1895.
Ch. 246 (dam on Willow river, St. Croix county), am. by ch. 154, 1882.
Ch. 260 (charter of Stevens Point), am. by ch. 50, 1880; ch. 191, 1881; ch. 269, 1883; ch. 350, 1885; ch. 432, 1887; ch. 113, 1889; ch. 38, 1891.
Ch. 266 (phonographic reporter, Milwaukee), am. by ch. 1, 1883.
Ch. 293 (bounty for steam road wagon), rep. by ch. 193, 1879.
Ch. 297 (Milwaukee), am. by ch. 248, 1887.

1878.

Ch. 7 (Milwaukee public library), am. by ch. 152, 1879; ch. 60, 1882; sec. 1, ch. 521, 1887.
Ch. 20 (clerk of county court of Eau Claire county), am. by ch. 124, 1882; sec. 2, ch. 199, 1887.
Ch. 29 (charter of Prairie du Chien), am. by ch. 160, 1879.
Ch. 36 (Milwaukee health department), am. by ch. 217, 1882; ch. 234, 1882.
Ch. 37 (firemen's relief fund, Milwaukee), rep. by sec. 4, ch. 176, 1885.
Ch. 40 (expense of redredging rivers, etc., in Milwaukee), am. by ch. 102, 1883.
Ch. 71 (La Crosse), rep. by ch. 162, 1887.
Ch. 96 (charter of Manitowoc), rep. by sec. 12, ch. 12, of ch. 186, 1879; sec. 1, ch. 95, 1891.
Ch. 100 (charter of Manitowoc), rep. by sec. 12, ch. 12, of ch. 186, 1879; sec. 1, ch. 95, 1891.
Ch. 107 (municipal court of Chippewa county), revised by ch. 381, 1885.
Ch. 112 (charter of Beaver Dam), am. by ch. 175, 1881.
Ch. 123 (Lawrence University), am. by ch. 16, 1895.
Ch. 126 (trout in St. Croix, Pierce and Pepin counties), am. by ch. 33, 1879.
Ch. 127 (Menasha), am. by ch. 310, 1887.
Ch. 136 (Milwaukee), am. by ch. 248, 1887.
Ch. 145 (geological survey), am. by ch. 79, 1879.
Ch. 155 (loan from trust funds to Burnett county), am. by ch. 197, 1879.
Ch. 158 (Two Rivers), am. by ch. 311, 1883.
Ch. 159 (charter of Chippewa Falls), am. by ch. 19, 1879; ch. 176, 1881; ch. 219, 1882; ch. 356, 1883.
Ch. 161 (charter of Green Bay), am. by ch. 285, 1880.
Ch. 171 (public schools in Watertown), am. by ch. 122, 1879; ch. 36, 1881.
Ch. 195 (charter of Waupun), am. by ch. 180, 1879; ch. 91, 1882; ch. 60, 1887; ch. 46, 1891.
Ch. 200 (game in St. Croix county), rep. by ch. 40, 1885.
Ch. 203 (state road from Centralia to Knowlton), am. by ch. 226, 1879.
Ch. 204 (state road from Ahnapee to Nassewaupee), am. by ch. 184, 1881.
Ch. 206 (Apple river log driving company), am. by ch. 134, 1882; rep. by ch. 72, 1885.
Ch. 207 (Namakagon and Totogatic dam company), am. by ch. 74, 1885.
Ch. 238 (Amherst town hall), rep. by ch. 60, 1879.
Ch. 247 (charter of Fort Atkinson), am. by ch. 97, 1882; ch. 128, 1885; ch. 373, 1885; ch. 114, 1889; ch. 63, 1891.
Ch. 259 (state road from Wolf river, Shawano county, to Wausau), am. by ch. 104, 1879; secs. 6, 7, 8, rep. by ch. 24, 1880.
Ch. 263 (charter of Jefferson), am. by ch. 163, 1879; ch. 29, 1881; ch. 59, 1887; ch. 50, 1891.
Ch. 270 (official records of Outagamie county), am. by ch. 200, 1881.
Ch. 274 (title amended), ch. 89, 1885.
Ch. 279 (charter of Milwaukee and Brookfield macadamized turnpike company), am. by ch. 8, 1880.
Ch. 281 (improvement of Bruny river), rep. by sec. 4, ch. 260, 1882.
Ch. 291 (dam across Sucker branch, Polk county), rep. by ch. 86, 1882.
Ch. 307 (authorizing Milwaukee county to borrow money), am. by ch. 270, 1885.
Ch. 314 (La Crosse), rep. by ch. 162, 1887.
Ch. 318 (dam across Court Oreille river), am. by ch. 27, 1879.
Ch. 329 (police court of Eau Claire), am. by ch. 16, 1880.
Ch. 332 (liens against public contractors in Milwaukee), am. by ch. 261, 1882.

1879.

Ch. 1 (stationery for legislature), am. by ch. 153, 1882.
Ch. 8 (La Crosse), rep. by ch. 162, 1887.
Ch. 9 (terms of court in seventh circuit), am. by ch. 68, 1883.
Ch. 10 (Wisconsin bridge company), am. by ch. 331, 1889.
Ch. 16 (state board of health), rep. by sec. 3, ch. 107, 1885.
Ch. 22 (land grant for certain railroads), am. by ch. 219, 1879.
Ch. 23 (trout for private persons), rep. by ch. 160, 1882.
Ch. 29 (building of a pier into Lake Michigan), am. by ch. 131, 1880.
Ch. 31 (change of venue), am. by ch. 419, 1887.
Ch. 32 (terms of court, first circuit), am. by ch. 66, 1889.
Ch. 40 (killing deer in Door county), am. by ch. 198, 1880.
Ch. 52 (terms of court, eighth circuit), am. by ch. 135, 1885.
Ch. 61 (terms of court Winnebago county), am. by ch. 61, 1883.
Ch. 63 (chattel exemptions), am. by ch. 117, 1882.
Ch. 67 (election of justices of the peace in Watertown), am. by ch. 140, 1879; ch. 254, 1880.
Ch. 103 (tax deeds in Price county), am. by ch. 218, 1880.
Ch. 104 (state road from Wolf river to Wausau), rep. by ch. 24, 1880.
Ch. 108 (state road from Lincoln to Green Bay), am. by ch. 11, 1880.
Ch. 114 (creating county of New), am. by ch. 19, 1880; ch. 247, 1880.
Ch. 115 (municipal court of Marathon county), am. by ch. 79, 1882.
Ch. 116 (state road from Grand Rapids to Stevens Point), rep. by ch. 249, 1881.
Ch. 117 (school district treasurers), am. by ch. 234, 1889.
Ch. 119 (soldiers' orphans' home), rep. by sec. 4, ch. 375, 1895.
Ch. 120 (charter of Ahnapee), am. by ch. 124, 1880; ch. 182, 1881; ch. 247, 1883; ch. 258, 1885; ch. 261, 1887; ch. 545, 1887.
Ch. 121 (sec. 2) (compulsory education), am. by ch. 298, 1882; ch. 73, 1887.
Ch. 127 (improvement of Cauley creek), am. by ch. 179, 1889.
Ch. 136 (dam across Red Cedar river, Burnett county), am. by ch. 78, 1882.
Ch. 137 (dam across Yellow river, Barron county), am. by ch. 95, 1882.
Ch. 141 (blue book), am. by ch. 123, 1880.

Ch. 147 (dam across Willow river, St. Croix county), am. by ch. 208, 1880.
Ch. 151 (state horticultural society), am. by ch. 14, 1887.
Ch. 163 (charter of Jefferson), am. by ch. 28, 1881.
Ch. 165 (charter of Yellow river improvement company), am. by ch. 44, 1881; ch. 156, 1882.
Ch. 166 (brook trout in Marathon and Sauk counties), am. by ch. 122, 1881.
Ch. 167 (liens for supplies), am. by ch. 62, 1880; rep. by sec. 6, ch. 330, 1881; by sec. 6, ch. 319, 1882.
Ch. 170 (boundaries of towns in Lincoln county), am. by ch. 116, 1881.
Ch. 172 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 176 (state board of immigration), am. by ch. 194, 1880; by ch. 223, 1881; rep. by ch. 21, 1887.
Ch. 179 (charter of Portage), am. by ch. 167, 1880.
Ch. 180 (charter of Waupun), secs. 10, 11, rep. by sec. 19, ch. 91, 1882.
Ch. 181 (terms of court eleventh circuit), rep. by ch. 90, 1882.
Ch. 182 (local fish law), am. by ch. 417, 1885.
Ch. 186 (charter of Manitowoc), am. by ch. 309, 1882; rep. by sec. 1, ch. 95, 1891.
Ch. 188 (vagabondage), rep. by ch. 470, 1887.
Ch. 190 (division of towns), am. by ch. 73, 1881; ch. 11, 1882; ch. 226, 1882; ch. 464, 1889.
Ch. 191 (dam across south fork of Yellow river, Taylor county), am. by ch. 253, 1881.
Ch. 192 (fish warden in certain counties), secs. 5, 6, rep. by ch. 287, 1880.
Ch. 194 (when courts to be open), am. by ch. 142, 1885; (hawkers and peddlers), am. by sec. 5, ch. 510, 1889; (legislative employes), rep. by sec. 6, ch. 1, 1893.
Ch. 200 (Milwaukee municipal court), am. by ch. 378, 1887.
Ch. 204 (certain societies not life insurance companies), am. by ch. 246, 1881; ch. 249, 1882; ch. 42, 1887; ch. 94, 1883; ch. 458, 1885.
Ch. 205 (re-election of county treasurers), rep. by ch. 87, 1880.
Ch. 207 (convicts' civil rights), am. by ch. 236, 1891.
Ch. 208 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 211 (light companies), am. by ch. 192, 1893.
Ch. 213 (dam, Wolf river, Shawano county), rep. by sec. 4, ch. 235, 1889.
Ch. 231 (authorizing Chippewa Falls to issue bonds), rep. by ch. 156, 1881.
Ch. 233 (registration of electors in Milwaukee), am. by ch. 36, 1880; both acts rep. by ch. 95, 1881.
Ch. 239 (charter of Oconomowoc), am. by ch. 199, 1881; ch. 231, 1881; ch. 257, 1885; ch. 133, 1889.
Ch. 240 (charter of Fond du Lac), am. by ch. 12, 1880; ch. 227, 1880; ch. 148, 1881; ch. 31, 1882; rep. by ch. 152, 1883.
Ch. 241 (charter of Seymour), am. by ch. 62, 1882; ch. 98, 1883; ch. 57, 1887.
Ch. 244 (assessment of personal property), am. by ch. 354, 1883.
Ch. 245 (sec. 4) (free high schools), am. by ch. 146, 1881; ch. 273, 1883; ch. 420, 1885.
Ch. 251 (town insurance companies), am. by ch. 42, 1881; sec. 5, ch. 146, 1882; rep. by ch. 476, 1889.
Ch. 256 (Milwaukee municipal court), am. by ch. 265, 1891; ch. 294, 1891; sec. 1, ch. 7, 1895.

1880.

Ch. 12, (charter of Fond du Lac), rep. by ch. 152, 1883.
Ch. 48 (Barron county municipal court), am. by ch. 89, 1893.
Ch. 62 (liens on logs, etc.), rep. by sec. 6, ch. 330, 1881; by sec. 6, ch. 319, 1882.
Ch. 67 (larceny), am. by ch. 278, 1887.
Ch. 79 (Kewaunee harbor commission), am. by ch. 23, 1882.
Ch. 83 (charter of Platteville), am. by ch. 94, 1881.
Ch. 85 (loan of trust funds to Portage county), rep. by sec. 7, ch. 231, 1891.
Ch. 95 (loan of trust funds to Outagamie county), am. by ch. 237, 1881.
Ch. 96 (state hospital for insane), rep. by sec. 22, ch. 298, 1881.
Ch. 100 (charter of New London), rep. by sec. 9, ch. 87, 1882.
Ch. 105 (foreign accident insurance companies), am. by ch 227, 1882.
Ch. 106 (state historical society), am. by ch. 279, 1881.
Ch. 112 (charter of Oconto), rep. by ch. 56, 1882.
Ch. 114 (time for taking deer), rep. by ch. 207, 1889.
Ch. 123 (blue book), am. by ch. 14, 1882.
Ch. 127 (police justice), am. by ch. 75, 1881.
Ch. 133 (Evansville seminary), am. by ch. 122, 1885; rep. in part by ch. 72, 1889.
Ch. 134 (town insurance companies), am. by ch. 187, 1882; sec. 2, ch. 421, 1885.
Ch. 143 (noxious weeds), rep. by ch. 233, 1885.
Ch. 144 (improvement of Elk river), am. by ch. 142, 1881.
Ch. 152 (articles of association Chicago, Milwaukee & St. Paul railway company), am. by ch. 49, 1881.
Ch. 158 (fences), am. by ch. 119, 1881.
Ch 162 (animals running at large in Vernon county), rep. by ch. 44, 1882.
Ch 170 (game), rep. by ch 207, 1883.
Ch. 179 (Wisconsin humane society), am. by ch. 292, 1891.
Ch. 180 (charter of Racine), am. by ch. 123, 1881; ch. 133, 1882; ch. 77, 1883.
Ch. 183 (register of probate Milwaukee county), am. by ch. 17, 1883; ch. 553, 1887; ch. 220, 1895.
Ch. 184 (dam across Butternut creek, Price county), am. by ch. 181, 1882.
Ch. 185 (national guard), am. by ch. 162, 1882; ch. 301, 1882; ch. 298, 1885; sec. 2, ch. 439, 1885; rep. by sec. 74, ch. 292, 1893.
Ch. 190 (ferry franchise across Mississippi river), rep. by ch. 291, 1881.
Ch. 192 (liens upon logs, etc.), am. by ch. 192, 1885.
Ch. 193 (service of process upon transportation companies), am. by ch. 189, 1881.
Ch. 206 (charter of Milwaukee), am. by sec. 4, ch. 274, 1881.
Ch. 211 (town insurance companies), am. by ch. 260, 1881; sec. 4, ch. 421, 1885.
Ch. 214 (dam across Poplar river, Oconto county), am. by ch. 132, 1883.
Ch. 220 (disposal of redemption money), am. by ch. 80, 1881.
Ch. 222 (liens on logs, etc.), revised and re-enacted by ch. 319, 1882; excepted from the repealing clause of the act of 1885, sec. 7, ch. 469, 1885.
Ch. 223 (liability of bank stockholders), am. by ch. 451, 1880.
Ch. 227 (charter of Fond du Lac), rep. by ch. 152, 1883.
Ch. 230 (escape of prisoners), am. by ch. 250, 1889.

Ch. 240 (commissioner of insurance), am. by sec. 5, ch. 300, 1881; ch. 200, 1893.
Ch. 248 (fishways in Iowa and La Fayette counties), am. by ch. 296, 1881; rep. by ch. 147, 1882.
Ch. 256 (attachment), am. by ch. 39, 1885.
Ch. 261 (swamp lands in certain counties), am. by ch. 135, 1882; ch. 232, 1883; ch. 62, 1885.
Ch. 266 (procedure for commitment of insane persons to hospitals), am. by ch. 202, 1881; ch. 35, 1883.
Ch. 268 (Milwaukee charter), rep. by sec. 58, ch. 324, 1882.
Ch. 269 (inspection of illuminating oils), am. by ch. 288, 1881; ch. 158, 1883.
Ch. 272 (fish in Dell creek, Sauk county), rep. by sec. 7, ch. 208, 1883.
Ch. 274 (bridge across Mississippi river), am. by ch. 97, 1891.
Ch. 277 (game), am. by ch. 312, 1881.
Ch. 280 (swamp lands in Lincoln county), am. by ch. 314, 1881.
Ch. 284 (Congregational churches), am. by ch. 174, 1893.
Ch. 286 (charter of Ripon), rep. by ch. 99, 1882.
Ch. 291 (equalization of assessments), am. by ch. 212, 1882; ch. 201, 1889.
Ch. 292 (Wisconsin river improvement company), am. by ch. 13, 1887.
Ch. 300 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 303 (dam on east fork of Black river, Wood, Clark and Jackson counties), am. by ch. 9, 1883.
Ch. 316 (withdrawal of public lands from market), am. by ch. 255, 1882.
Ch. 317 (charter of Superior boom company), am. by ch. 295, 1881.
Ch. 321 (preservation of brook trout), am. by ch. 289, 1881.
Ch. 322 (charter of Madison), am. by ch. 230, 1881; rep. by ch. 36, 1882.
Ch. 323 (charter of Wausau), am. by ch. 71, 1881; ch. 26, 1882.

1881.

Ch. 5 (terms of court Lincoln county), am. by ch. 157, 1882.
Ch. 13 (town insurance companies), am. by sec. 4, ch. 146, 1882.
Ch. 15 (charter of Oshkosh), am. by sec. 1, ch. 98, 1882.
Ch. 18 (terms of Milwaukee county court), am. by ch. 276, 1881.
Ch. 19 (unincorporated villages), am. by ch. 463, 1885.
Ch. 24 (Mayville union school district), am. by ch. 201, 1895.
Ch. 37 (creating thirteenth judicial circuit), am. by sec. 2, ch. 55, 1882; sec. 2, ch. 140, 1882.
Ch. 40 (oleaginous substances), rep. in part by ch. 361, 1885.
Ch. 42 (town insurance companies), am. by sec. 5, ch. 146, 1882; ch. 240, 1882; rep. by ch. 476, 1889.
Ch. 45 (oath and bond of justices of peace), am. by ch. 284, 1882.
Ch. 48 (town insurance companies), am. by ch. 187, 1882; ch. 189, 1883; secs. 2, 3, ch. 421, 1885.
Ch. 57 (dam south branch Embarrass river), rep. in part by sec. 6, ch. 449, 1889.
Ch. 58 (dam across Kewaunee river), am. by ch. 140, 1883.
Ch. 65 (secs. 1, 2, 3) (Milwaukee charter), rep. by sec. 58, ch. 324, 1882; rep. in part by ch. 421, 1887.
Ch. 72 (costs in criminal cases), am. by ch. 346, 1885.
Ch. 73 (division of towns), impliedly repealed by ch. 226, 1882; re-enacted by ch. 287, 1883.
Ch. 92 (villages), am. by ch. 211, 1887.
Ch. 97 (Wausau boom company), am. by ch. 204, 1883.
Ch. 98 (joint school districts of city and town of Ripon), am. by ch. 125, 1885; ch. 61, 1895; ch. 287, 1895.
Ch. 100 (hawkers and peddlers), am. by ch. 218, 1882; ch. 263, 1885; sec. 4, ch. 510, 1889.
Ch. 105 (taxation in city of Oconto), am. by ch. 363, 1887.
Ch. 106 (bridge tax in town of Fredonia), am. by ch. 122, 1882.
Ch. 107 (division of towns into election districts), rep. by ch. 259, 1882.
Ch. 108 (collection of highway taxes), am. by ch. 213, 1882.
Ch. 119 (fences), am. by ch. 201, 1882.
Ch. 121 (weights and measures), am. by sec. 1, ch. 55, 1893.
Ch. 123 (charter of Racine), am. by ch. 133, 1882.
Ch. 124 (reports of Washburn observatory, etc.), am. by ch. 174, 1889.
Ch. 127 (bridge across Kewaunee river), am. by ch. 232, 1882.
Ch. 130 (house of correction of Milwaukee county), am. by ch. 220, 1882.
Ch. 140 (powers of circuit courts at special terms), am. by ch. 180, 1882; ch. 101, 1883; ch. 169, 1883.
Ch. 143 (corporate name), rep. by ch. 256, 1885.
Ch. 146 (free high schools), am. by ch. 445, 1891.
Ch. 150 (bounty on wild animals), am by ch. 80, 1882.
Ch. 151 (court commissioners), am. by ch. 107, 1883; ch. 110, 1885.
Ch. 161 (dam across Wedges' creek, Clark county), am. by ch. 89, 1882.
Ch. 163 (improvement of Thorn Apple river), revived by ch. 95, 1883.
Ch. 167 (loans from trust funds), am. by ch. 176, 1893.
Ch. 169 (Watertown), rep. by sec. 13, ch. 313, 1883.
Ch. 170 (larceny of timber, trees, etc.), am. by ch. 397, 1889.
Ch. 182 (Ahnapee), am. by ch. 247, 1883.
Ch. 183 (charter of La Crosse), am. by sec. 38, ch. 173, 1882; sec. 5 rep. by sec. 4, ch. 217, 1883; rep. by ch. 162, 1887.
Ch. 184 (state road), am. by ch. 550, 1887.
Ch. 194 (Chippewa Falls bonds), am. by ch. 199, 1883.
Ch. 197 (municipal court for Rock county), am. by ch. 101, 1882; ch. 237, 1887; ch. 315, 1891; ch. 347, 1895.
Ch. 202 (commitment of insane persons), am. by ch. 228, 1889.
Ch. 204 (sale of liquors), rep. by ch. 51, 1882.
Ch. 205 (drains), am. by ch. 138, 1885.
Ch. 206 (Milwaukee charter), rep. by sec. 58, ch. 324, 1882.
Ch. 207 (special powers of county boards), am. by ch. 97, 1883; ch. 316, 1883.
Ch. 208 (charter of Milwaukee), rep. by sec. 58, ch. 324, 1882.
Ch. 218 (preservation of fish), am. by ch. 285, 1882.
Ch. 225 (lumber inspection districts), am. by ch. 193, 1882; ch. 288, 1885.
Ch. 229 (correction of errors in charges for supporting insane), am. by ch. 116, 1887.
Ch. 230 (charter of Madison), rep. by ch. 36, 1882.
Ch. 231 (charter of Oconomowoc), revised, consolidated and amended by ch. 141, 1882.

Ch. 233 (trustees of county asylums), am. by ch. 283, 1882; ch. 369, 1887; ch. 526, 1887; ch. 105, 1889; ch. 139, 1889.
Ch. 233 (support of insane), am. by ch. 369, 1887.
Ch. 235 (seventh ward park Milwaukee), extended by ch. 210, 1883.
Ch. 248 (state road in Wood and Portage counties), rep. by ch. 248, 1882.
Ch. 249 (state road in Wood and Portage counties), rep. by ch. 276, 1885.
Ch. 255 (dams in Chippewa river), am. by ch. 96, 1883.
Ch. 256 (practice of medicine, etc.), am. by ch. 40, 1882.
Ch. 257 (charter of Hudson), am. by ch. 274, 1882.
Ch. 260 (town insurance companies), am. by sec. 4, ch. 421, 1885.
Ch. 261 (Milwaukee charter), rep. by ch. 324, 1882.
Ch. 274 (Milwaukee charter), am. by ch. 324, 1882.
Ch. 278 (fees of register of deeds), am. by ch. 374, 1891.
Ch. 286 (liens on decedents' real estate), am. by ch. 354, 1895.
Ch. 287 (continuance of right to lien), am. by ch. 84, 1882.
Ch. 288 (inspection of illuminating oils), am. by ch. 158, 1883.
Ch. 289 (brook trout), am. by ch. 115, 1882.
Ch. 292 (terms of court, eighth circuit), am. by ch. 122, 1889.
Ch. 293 (secs. 1, 2, 3) (charter of New London), rep. by sec. 9, ch. 87, 1882.
Ch. 296 (fishways in Crawford and Vernon counties), rep. by ch. 147, 1882.
Ch. 297 (divorce), rep. by ch. 230, 1882.
Ch. 298 (state charitable, etc., institutions), am. by ch. 15, 1882; ch. 268, 1883; rep in part by sec. 8, ch. 221, 1891; am. by sec. 3, ch. 138, 1895.
Ch. 299 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 302 (Milwaukee charter), rep. by sec. 13, ch. 308, 1882; amended by ch. 310, 1883.
Ch. 306 (fishways in town of Lodi), rep. by ch. 47, 1882.
Ch. 313 (garnishment), am. by sec. 1, ch. 73, 1893.
Ch. 314 (indebtedness of Lincoln county), am. by ch. 260, 1883; ch. 331, 1885.
Ch. 315 (county aid for bridges), am. by ch. 187, 1885.
Ch. 316 (fishways in Green Lake county), am. by ch. 225, 1882.
Ch. 319 (record of lands taken for streets, etc.), am. by ch. 237, 1885.
Ch. 328 (liens), am. by secs. 2, 3, 4, ch. 256, 1893.
Ch. 330 (liens upon logs, etc.), am. by ch. 192, 1885.
Ch. 381 (Chippewa county municipal court), am. by ch. 89, 1889.

1882.

Ch. 1 (mutual loan and building corporations), am. by ch. 127, 1885.
Ch. 3 (terms of court in tenth circuit), am. by ch. 87, 1883.
Ch. 18 (grant of land for depot accommodations), am. by ch. 68, 1885.
Ch. 21 (charter of Baraboo), am. by ch. 54, 1882; ch. 53, 1883; ch. 12, 1885; ch. 13, 1889; ch. 86, 1889; ch. 60, 1891.
Ch. 22 (aid to free high schools), am. by ch. 302, 1883; sec. 2, ch. 420, 1885.
Ch. 29 (school meeting), am. by ch. 96, 1887.
Ch. 31 (charter of Fond du Lac), rep. by ch. 152, 1883.
Ch. 32 (Dane county register of probate), am. by ch. 393, 1887.
Ch. 36 (charter of Madison), am. by ch. 244, 1883; ch. 195, 1885; ch. 269, 1887; ch. 244, 1889; ch. 266, 1891.
Ch. 37 (Port Washington), am. by ch. 10, 1885; ch. 327, 1889.
Ch. 41 (terms of county courts), am. by ch. 443, 1887.
Ch. 42 (cemeteries), am. by ch. 165, 1885.
Ch. 54 (Baraboo), rep. in part by sec. 10, ch. 13, 1889.
Ch. 56 (Oconto), am. by ch. 343, 1883; ch. 188, 1885; ch. 365, 1887; ch. 192, 1889; ch. 208, 1891.
Ch. 69 (annual school meetings), am. by ch. 298, 1883.
Ch. 72 (school district clerks), am. by secs. 1, 2, ch. 298, 1883.
Ch. 91 (Waupun), am. by ch. 60, 1887.
Ch. 101 (Rock county municipal court), am. by ch. 350, 1895.
Ch. 102 (charter of Menomonie), rep. by ch. 84, 1883.
Ch. 124 (clerk of Eau Claire county court), rep. by sec. 1, ch. 199, 1887.
Ch. 126 (charter of Fond du Lac), rep. by ch. 152, 1883.
Ch. 132 (charter of Portage), am. by ch. 23, 1883; ch. 468, 1885; ch. 77, 1887; ch. 158, 1889; ch. 527, 1889.
Ch. 133 (Racine), am. by ch. 122, 1887.
Ch. 134 (Apple river log driving company), rep. by ch. 72, 1885.
Ch. 135 (swamp lands in certain counties), am. by ch. 232, 1883.
Ch. 139 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 141 (Oconomowoc), am. by ch. 257, 1885.
Ch. 146 (town insurance companies), am. by ch. 253, 1889; rep. by ch. 476, 1889.
Ch. 162 (national guard), am. by sec. 2, ch. 298, 1885; sec. 2, ch. 439, 1885; rep. by sec. 74, ch. 292, 1893.
Ch. 167 (practice of pharmacy), am. by ch. 146, 1885; ch. 460, 1887; rep. by sec. 15, ch. 227, 1895.
Ch. 169 (Green Bay charter), am. by ch. 2, 1883; ch. 297, 1885; ch. 311, 1887; ch. 115, 1889; ch. 20, 1891; ch. 304, 1891.
Ch. 172 (Stoughton), am. by ch. 170, 1887; ch. 249, 1889.
Ch. 173 (La Crosse), am. by ch. 217, 1883; ch. 205, 1883; ch. 1, 1885; ch. 386, 1885; rep. by ch. 162, 1887.
Ch. 177 (report of superintendent of public property), rep. by ch. 159, 1883.
Ch. 180 (judgments in vacation), am. by ch. 101, 1883.
Ch. 187 (town insurance companies), am. by sec. 2, ch. 421, 1885.
Ch. 193 (inspection, etc., of logs, etc.), am. by ch. 288, 1885.
Ch. 194 (examination of a party), am. by ch. 321, 1885.
Ch. 196 (telephone companies), am. by ch. 236, 1893.
Ch. 199 (meeting of county boards), am. by ch. 403, 1889.
Ch. 200 (abandonment of children), am. by ch. 422, 1885.
Ch. 201 (fences), am. by ch. 278, 1889.
Ch. 202 (judgments), am. by ch. 155, 1891.
Ch. 205 (town insurance companies), am. by ch. 168, 1883; sec. 3, ch. 421, 1885.
Ch. 207 (deputy sheriffs, Milwaukee county), am. by ch. 301, 1891; ch. 247, 1895.
Ch. 209 (Beloit), am. by ch. 131, 1885; ch. 302, 1887; ch. 276, 1889.
Ch. 218 (hawkers and peddlers), am. by ch. 263, 1885; sec. 1, ch. 510, 1889.
Ch. 221 (charter of Janesville), am. by ch. 78, 1883; ch. 350, 1883; ch. 106, 1885; ch. 136, 1885; ch. 164, 1887; ch. 60, 1889; ch. 102, 1889; ch. 400, 1891, (pp. 1263, 1265).

Ch. 226 (division of towns), am. by ch. 287, 1883.
Ch. 235 (Wisconsin railroad farm mortgage land company), am. by ch. 340, 1883.
Ch. 238 (charter of Monroe), am. by ch. 128, 1883; ch. 220, 1889; ch. 271, 1891.
Ch. 239 (conversion of logs, etc.), am. by ch. 95, 1889.
Ch. 240 (town insurance companies), rep. by ch. 476, 1889.
Ch. 246 (village boards), am. by ch. 104, 1889.
Ch. 247 (dam across Wisconsin river, Lincoln county), am. by ch. 253, 1887.
Ch. 250 (actions to recover lands sold for taxes), am. by ch. 153, 1883.
Ch. 258 (assessment of logs, etc.), am. by secs. 2, 3, ch. 473, 1891.
Ch. 263 (Black river improvement company), am. by ch. 316, 1885.
Ch. 265 (dower), am. by ch. 75, 1893.
Ch. 268 (railroads), am. by ch. 293, 1883.
Ch. 271 (Neillsville), am. by ch. 312, 1883; ch. 360, 1885; ch. 190, 1889.
Ch. 278 (dams, etc., on White river, Bayfield county), see sec. 7, ch. 224, 1883.
Ch. 279 (jurisdiction of Kewaunee county judge), rep. by ch. 14, 1885.
Ch. 280 (joint school districts), am by ch. 439, 1887.
Ch. 291 (vagabondage), rep. by ch. 470, 1887.
Ch. 295 (state road, Medford to Cadott Falls), am. by ch. 360, 1883.
Ch. 301 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 302 (publication of laws in newspapers), am. by ch. 348, 1885.
Ch. 303 (teachers' life certificates), rep. by ch. 205, 1885.
Ch. 306 (powers of county boards), am. by ch. 230, 1895.
Ch. 308 (charter of Milwaukee), am. by ch. 8, 1883; ch. 310, 1883.
Ch. 309 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 310 (county courts), am. by ch. 47, 1893.
Ch. 312 (Neillsville), am. by ch. 360, 1885.
Ch. 314 (compensation of legislative employes), am. by ch. 346, 1883; ch. 94, 1885; rep. by sec. 6, ch. 1, 1893.
Ch. 317 (laborers' exemptions), am. by ch. 141, 1883.
Ch. 319 (liens upon logs, etc.), am. by ch. 192, 1885; ch. 469, 1885.
Ch. 321 (state road from Westboro to Glidden), rep. by ch. 136, 1883.
Ch. 322 (intoxicating liquors), am. by ch 284, 1883; ch. 296, 1885.
Ch. 323 (Appleton), rep. in part by ch. 441, 1885.
Ch. 324 (Milwaukee), am. by ch. 308, 1883; ch. 460, 1885; ch. 23, 1887; ch. 359, 1887; ch. 420, 1887; ch. 117, 1889; ch. 73, 1891.
Ch. 325 (waterworks in villages and cities), am. by ch. 165, 1883.
Ch. 328 (Milwaukee public museum), am. by sec. 2, ch. 521, 1887.
Ch. 360 (Neillsville), am. by sec. 8, ch. 190, 1889.

1883.

Ch. 2 (Green Bay), am. by ch. 20, 1891.
Ch. 4 (Black River Falls), rep. by ch. 163, 1885.
Ch. 5 (Merrill), am. by ch. 2, 1885; rep. by sec. 180, ch. 32, 1885.
Ch. 30 (gifts to university), am. by ch. 198, 1891.
Ch. 33 (dam across Straight river), rep. by ch. 108, 1887.
Ch. 37 (religious societies), am. by ch. 313, 1889.
Ch. 43 (departments of insurance and railroads), am. by ch. 31, 1895.
Ch. 55 (free masons, etc.), rep. by sec. 2, ch. 204, 1887.
Ch. 59 (tax roll), am. by ch. 517, 1889.
Ch. 62 (fish), am. by ch. 407, 1885.
Ch. 69 (appraisement of exempt property), am. by sec. 2, ch. 427, 1891.
Ch. 70 (corporations), am. by sec. 2, ch. 403, 1891.
Ch. 77 (Racine), am. by ch. 226, 1885; ch. 122, 1887.
Ch. 78 (Janesville), rep. in part by sec. 4, ch. 136, 1885; am. by sec. 3, ch. 106, 1885.
Ch. 79 (religious societies), am. by ch. 312, 1889.
Ch. 80 (Hartford), am. by ch. 239, 1885.
Ch. 84 (Menomonie), rep. by ch. 129, 1887; revived, ch. 207, 1887; am. by ch. 151, 1889; ch. 144, 1891.
Ch. 86 (charter of Edgerton), am. by ch. 176, 1883; ch. 78, 1885; ch. 132, 1889.
Ch. 89 (fish in Dane county), am. by ch. 228, 1885.
Ch. 94 (mutual, etc., societies), am. by ch. 458, 1885; ch. 198, 1887; ch. 509, 1887.
Ch. 103 (Milwaukee municipal court), am. by ch. 228, 1891.
Ch. 106 (Ripon), am. by ch. 64, 1887.
Ch. 107 (court commissioners), am. by ch. 110, 1885.
Ch. 128 (Monroe), am. by ch. 105, 1887.
Ch. 134 (Tomah), am. by ch. 86, 1885; ch. 406, 1887; ch. 57, 1891.
Ch. 151 (Wausau), am. by ch. 118, 1885; ch. 150, 1889; ch. 200, 1891.
Ch. 152 (Fond du Lac), am. by ch. 299, 1885; ch. 123, 1887; ch. 435, 1889; ch. 25, 1891.
Ch. 158 (illuminating oils), am. by ch. 440, 1889.
Ch. 160 (auctions, etc.), rep. by ch. 334, 1887.
Ch. 167 (public health), am. by ch. 291 1887.
Ch. 168 (town insurance companies), am. by sec. 3, ch. 421, 1885.
Ch. 171 (hospital corporations), am. by ch. 316, 1887.
Ch. 174 (De Pere), am. by ch. 92, 1885; ch. 53, 1887; ch. 444, 1891.
Ch. 175 (Sparta), am. by ch. 80, 1885; ch. 145, 1887; rep. by ch. 23, 1891.
Ch. 176 (Edgerton), am. by ch. 78, 1885.
Ch. 178 (villages and cities), am. by ch 114, 1893.
Ch. 180 (fixing salaries of county officers), am. by ch. 260, 1885.
Ch. 183 (Oshkosh), am. by ch. 230, 1885; ch. 149, 1887.
Ch. 184 (Neenah), am. by ch. 5, 1885.
Ch. 189 (town insurance companies), am by sec. 2, ch. 421, 1885.
Ch. 191 (Merrill), rep. by sec. 180, ch. 32, 1885.
Ch. 208 (fish in Dell creek), rep. by ch. 213, 1885.
Ch. 209 (dam across Black river), am. by ch 88, 1885; rep. by sec. 3, ch. 111, 1893.
Ch. 217 (La Crosse), rep. by ch. 162, 1887.
Ch. 219 (real estate, descent of), am. by ch. 23, 1893.
Ch. 221 (corporations), am. by ch. 127, 1891.
Ch. 228 (noxious weeds), rep. by ch. 233, 1885.
Ch. 232 (land grant to Chippewa county) am. by ch. 382, 1885.
Ch. 236 (highways on town lines), am. by ch. 126, 1893.
Ch. 237 (public watering places), am. by ch. 21, 1885.
Ch. 241 (articles of association), am by ch 353, 1885.
Ch. 249 (inventory, etc., in attachment), am by ch. 259, 1885; meaning declared, ch 134, 1893.

Ch. 250 (powers of large villages), made operative by ch. 253, 1883.
Ch. 251 (school text books), am. by ch. 308, 1891.
Ch. 252 (Kewaunee), am. by ch. 148, 1885; ch. 272, 1887.
Ch. 257 (kidnapping), am. by ch. 219, 1889.
Ch. 258 (railroad map), am. by ch. 22, 1887.
Ch. 263 (village of West De Pere), rep. by ch. 306, 1885.
Ch. 269 (Stevens Point), am. by ch. 432, 1887.
Ch. 273 (free high schools), am. by ch. 420, 1885.
Ch. 276 (spur railroad tracks), am. by ch. 188, 1893.
Ch. 280 (Marshfield), revised by ch. 274, 1887.
Ch. 287 (division of towns), am. by ch. 107, 1887; rep. by sec. 2, ch. 464, 1889.
Ch. 291 (state board of charities, etc.), rep. in part by sec. 8, ch. 221, 1891.
Ch. 294 (trust companies), am. by ch 33, 1885; rep. by sec. 13, ch. 263, 1891.
Ch. 298 (reports of school officers), am. by ch. 154, 1889; ch. 155, 1889; ch. 156, 1889.
Ch. 298 (school meeting), am. by ch. 96, 1887.
Ch. 302 (free high schools), rep. by sec. 2, ch. 420, 1885.
Ch. 304 (family protective association), am. by ch. 203, 1887.
Ch. 308 (Milwaukee), am. by ch. 460, 1885.
Ch. 312 (Neillsville), am. by ch. 360, 1885.
Ch. 314 (change of venue), rep by ch. 41, 1885.
Ch. 319 (bureau of labor statistics), substitute for, ch. 244, 1885.
Ch. 320 (reports of state officers, etc.), am. by secs. 1, 2, ch. 107, 1885; ch. 303, 1885; ch. 435 1885; ch. 63, 1887.
Ch. 322 (swamp lands in Sauk and Columbia counties), am. by ch. 292, 1887.
Ch. 323 (charter of Shawano), rep. by ch. 159, 1885.
Ch. 324 (town and village of Fremont), am. by ch. 307, 1887.
Ch. 325 (free high schools), am. by ch. 242, 1885.
Ch. 333 (registration of electors), am. by ch. 310, 1885.
Ch. 339 (La Crosse), rep. by ch. 162, 1887
Ch. 341 (Sturgeon Bay), am. by ch. 119, 1885; ch. 165, 1887; ch. 134, 1891.
Ch. 342 (vagabondage), am. by ch. 333, 1885; rep. by ch. 470, 1887.
Ch. 343 (Oconto), rep. in part by sec. 6, ch. 365, 1887.
Ch. 345 (license of telephone companies), am. by ch. 337, 1885; application of, ch. 232, 1887.
Ch. 346 (compensation of legislative employes), re-enacted in part, ch. 348, 1887; rep. by sec. 6, ch. 1, 1893.
Ch. 349 (preferences to creditors), am. by ch. 451, 1887.
Ch. 350 (Janesville), am. by sec 12, ch. 164, 1887.
Ch. 351 (charter of Nicolet), am. by ch. 52, 1885; ch. 396, 1885; ch. 383, 1887.
Ch. 353 (palace, etc., car license fee), am. by ch. 415, 1885.
Ch. 354 (assessment of personalty), am. by sec. 1, ch. 473, 1891.
Ch. 357 (register of probate, Fond du Lac county), am. by ch. 45, 1893.

1885.

Ch. 7 (teachers' institutes), am. by ch. 462, 1891.
Ch. 9 (agricultural institutes), am. by ch. 62, 1887.
Ch. 16 (Cedarburg), am. by ch. 56, 1887.
Ch. 18 (burial of soldiers, etc.), rep. by ch. 385, 1887.
Ch. 19 (free masons, etc.), rep. by sec. 2, ch. 204, 1887.
Ch. 21 (public watering places), am. by ch. 191, 1891.
Ch. 32 (Merrill), am. by ch. 15, 1887; ch. 533, 1887; ch. 31, 1889; ch. 42, 1891.
Ch. 33 (trust companies), am. by ch. 158, 1887; rep. by sec. 13, ch. 263, 1891.
Ch. 37 (Kaukauna), am. by ch. 458, 1887; ch. 46, 1889; revised by ch. 135, 1891.
Ch. 47 (local game act), am. by ch. 538, 1887.
Ch. 52 (Nicollet), am. by ch. 383, 1887.
Ch. 53 (election of supervisors in Milwaukee county), rep. by sec. 127, ch. 288, 1893.
Ch. 54 (Viroqua), am. by ch. 160, 1885; ch. 130, 1887; ch. 118, 1889; ch. 1, 1891; ch. 246, 1891.
Ch. 60 (vacation of plats), am. by ch. 279, 1887.
Ch. 63 (bar examiners), am. by ch. 310, 1891.
Ch. 73 (Augusta), am. by ch. 156, 1887; ch. 10, 1891.
Ch. 75 (dam across Namakagon river), am. by ch. 154, 1887.
Ch. 76 (Alma), am. by ch. 358, 1885; ch. 48, 1889.
Ch. 78 (Edgerton), am. by ch. 132, 1889.
Ch. 79 (Antigo), am. and publication of, legalized, ch. 323, 1885; rep. by ch. 173, 1887.
Ch. 80 (Sparta), rep. by ch. 23, 1891.
Ch. 82 (New Richmond), am. by ch. 159, 1887.
Ch. 83 (Beaver Dam), am. by ch. 135, 1889; ch. 19, 1891.
Ch. 87 (county board), am. by ch. 461, 1891; see ch. 259, 1893.
Ch. 88 (dam Black river), rep. by sec. 3, ch. 111, 1893.
Ch. 92 (De Pere), am. by ch. 444, 1891.
Ch. 93 (common schools), am. by ch. 56, 1893.
Ch. 99 (West Bend), am. by ch. 51, 1891; ch. 52, 1891.
Ch. 105 (River Falls), am. by ch. 59, 1889.
Ch. 106 (Janesville), rep. by sec. 5, ch. 136, 1885.
Ch. 118 (Wausau), am. by ch. 200, 1891.
Ch. 119 (Sturgeon Bay), am. by ch. 165, 1885; ch. 134, 1891.
Ch. 124 (school fund income), am by ch. 277, 1887.
Ch. 129 (practice of dentistry), am. by ch. 102, 1887.
Ch. 130 (Mayville), am. by ch. 111, 1887; ch. 198, 1889.
Ch. 135 (terms of court, eighth circuit), am. by ch. 350, 1889.
Ch. 138 (drains), am. by ch. 230, 1887.
Ch. 140 (Cumberland), revised and amended by ch. 98, 1891.
Ch. 144 (state pension agent), rep. by ch. 382, 1889.
Ch. 146 (pharmacy), rep. by sec. 15, ch. 227, 1895.
Ch. 152 (use of words "bank," etc.), rep. by ch. 523, 1889.
Ch. 154 (Chippewa Falls), am. by ch. 356, 1891.
Ch. 159 (Shawano), am. by ch. 175, 1887; ch. 189, 1889; ch. 36, 1891; ch. 151, 1891.
Ch. 162 (Elroy), am. by ch. 224, 1885; ch. 75, 1887; ch. 172, 1887.
Ch. 163 (Black River Falls), am. by ch. 238, 1885; ch. 247, 1887; ch. 24, 1891.
Ch. 164 (Chippewa Falls), am. by ch. 245, 1885; (ch. 209, 1887; ch. 255, 1887; ch. 177, 1889; ch. 310, 1889; ch. 382, 1891.

Ch. 165 (cemeteries), am. by ch. 167, 1889.
Ch. 175 (steam engines upon highways), am. by ch. 509, 1889.
Ch. 187 (bridges), am. by ch. 508, 1889; ch. 180, 1895
Ch. 193 (railroad commissioner), am. by ch. 459, 1889.
Ch. 195 (Madison), am. by ch. 326, 1885; ch. 269, 1887.
Ch. 196 (Milwaukee), am. by ch. 36, 1889.
Ch. 197 (Hudson), am. by ch. 17, 1889; ch. 415, 1891.
Ch. 217 (assessment of taxes), rep. by ch. 332, 1887.
Ch. 218 (mortgages of furniture), am. by ch. 268, 1887.
Ch. 224 (Elroy), am. by ch. 75, 1887.
Ch. 226 (Racine), am. by ch. 122, 1887.
Ch. 227 (Whitewater), am. by ch. 121, 1887; ch. 221, 1889; ch. 405, 1891.
Ch. 230 (Plymouth), rep. in part by ch. 172, 1891.
Ch. 233 (noxious weeds), rep. by ch. 313, 1887.
Ch. 247 (bureau of labor statistics), am. by ch. 40, 1895; ch. 89, 1895.
Ch. 257 (Oconomowoc), am. by ch. 133, 1889.
Ch. 260 (county officers' salaries), am. by ch. 225, 1893.
Ch. 265 (sidewalk taxes in villages), limited by ch. 78, 1887.
Ch. 273 (Fort Atkinson), rep. in part by sec. 3, ch. 114, 1889.
Ch. 277 (Sheboygan), am. by ch. 433, 1889.
Ch. 279 (bridge across Wisconsin river), am. by ch. 2, 1887.
Ch. 287 (school fund), am. by ch. 389, 1891; ch. 229, 1893; ch. 30, 1895.
Ch. 289 (laying out highways), am. by ch. 127, 1893.
Ch. 291 (auctions, etc.), rep. by ch. 334, 1887.
Ch. 296 (excise), application of, to town of Superior, ch. 97, 1887; am. by ch. 404, 1887; ch. 247, 1889; ch. 286, 1893.
Ch. 298 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 299 (Fond du Lac), am. by ch. 123, 1887; rep. by sec. 6, ch. 311, 1887; ch. 435, 1889.
Ch. 305 (Sheboygan), rep. by ch. 124, 1887.
Ch. 306 (redemption list), am. by ch. 446, 1887.
Ch. 308 (fees for fire departments), am. by ch. 242, 1889.
Ch. 312 (liens), am. by ch. 535, 1887.
Ch. 315 (instruction of deaf mutes), am. by ch. 40, 1887; am. by ch. 305, 1893.
Ch. 321 (examination of a party), am. by ch. 348, 1889.
Ch. 322 (Lake Geneva), am. by ch. 256, 1887; ch. 358, 1889.
Ch. 328 (Eau Claire), rep. in part by ch. 184, 1889.
Ch. 330 (state board of charities), am. by ch. 408, 1887; rep. by sec. 8, ch. 221, 1891.
Ch. 333 (vagabondage), rep. by ch. 470, 1887.
Ch. 337 (telephone licenses), am. by ch. 166, 1891.
Ch. 345 (bridges), am. by ch. 285, 1887.
Ch. 349 (liens), am. by ch. 466, 1887.
Ch. 360 (Neillsville), am. by ch. 356, 1887 (p. 1274, vol. 2); sec. 8, ch. 190, 1889.
Ch. 375 (fire escapes), am. by ch. 304, 1889; sec. 2, ch. 355, 1895.
Ch. 377 (state public school), am. by ch. 144, 1889; ch. 287, 1889; ch. 243, 1891.
Ch. 381 (Chippewa county municipal court), am. by ch. 510, 1887; ch. 295, 1891.
Ch. 384, (cranberries), am. by ch. 330, 1887.
Ch. 386 (La Crosse), rep. by ch. 162, 1887.
Ch. 389 (election inspectors in large cities), am. by ch. 16, 1887; ch. 62, 1889; rep. by sec. 127, ch. 288, 1893.
Ch. 394 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 395 (collection of penalties against insurance companies), am. by ch. 517, 1887
Ch. 399 (gambling at fairs), am. by ch. 181, 1887.
Ch. 401 (Manitowoc), am. by ch. 286, 1887; rep. by sec. 1, ch. 95, 1891.
Ch. 404 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 408 (legislative employes), am. by ch. 522, 1889; rep. by sec. 6, ch. 1, 1893.
Ch. 410 (Milwaukee), am. by ch. 408, 1889.
Ch. 411 (Lincoln and Oneida counties), am. by ch. 153, 1887.
Ch. 421 (town insurance companies), am. by ch. 217, 1887; ch. 38, 1889; ch. 212, 1889.
Ch. 422 (abandonment of children), am. by ch. 318, 1887; ch. 321, 1889.
Ch. 432 (Milwaukee), am. by ch. 519, 1887
Ch. 438 (liquors), am. by ch. 288, 1887; ch. 447, 1889.
Ch. 439 (national guard), am. by ch. 344, 1891; rep. by sec. 74, ch. 292, 1893.
Ch. 441 (Appleton), am. by ch. 120, 1887.
Ch. 442 (Dane county drainage) am. by ch. 525, 1887.
Ch. 444 (public land agents), rep. by sec. 1, ch. 320, 1891.
Ch. 452 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 455 (fish in Lakes Michigan and Superior and Green Bay), rep. by ch. 529, 1887.
Ch. 449 (surety companies), rep. by ch. 196, 1893.
Ch. 460 (Milwaukee), am. by ch. 74, 1891.
Ch. 464 (preservation of ballots), am. by sec. 4, ch. 250, 1887; ch. 370, 1887; ch. 336, 1889; rep. in part by sec. 1, ch. 413, 1891
Ch. 467 (state veterinarian), am. by ch. 76, 1887.
Ch. 469 (liens on logs, etc.), am. by ch. 539, 1887; rep. by sec. 18, ch. 413, 1889.
Ch. 471 (brook trout), am. by ch. 369, 1889.

1887.

Ch. 1 (odd fellows' insurance company), am. by ch. 363, 1891; ch. 20, 1895.
Ch. 7 (Merrill), am. by ch. 31, 1889.
Ch. 8 (state horticultural society), rep. by ch. 117, 1893.
Ch. 15 (Merrill), am. by ch. 31, 1889; ch 429, 1889.
Ch. 19 (register of probate, Rock county), am. by ch. 43, 1891.
Ch. 22 (railroad map), am. by ch. 373, 1889.
Ch. 42 (mutual, etc., societies), am. by ch. 441, 1891.
Ch. 30 (Darlington), am. by ch. 131, 1889.
Ch. 45 (adoption of children), am. by sec. 1, ch. 62, 1893; ch. 18, 1895.
Ch. 49 (Onalaska), rep. in part by ch. 38, 1887; ch. 134, 1889.
Ch. 56 (Cedarburg), am. by ch. 175, 1889
Ch. 57 (Seymour), am. by ch. 72, 1891.
Ch. 74 (Richland Center), am. by ch. 82, 1889; ch. 355, 1889.
Ch. 76 (state veterinarian), am. by ch. 110, 1895.
Ch. 77 (Portage), am. by ch. 129, 1891.
Ch. 82 (terms of court, tenth circuit), am. by ch. 355, 1891.
Ch. 91 (construction of bridge by town of Marinette), rep. by ch. 474, 1887.
Ch. 100 (Ripon), rep. by ch. 325, 1889.
Ch. 107 (stopping railroad trains), am by ch. 379, 1889.

Ch. 115 (cemetery association), am. by ch. 237, 1891.
Ch. 116 (house of ill fame), am. by ch. 338, 1889.
Ch. 119 (Marinette), am. by ch. 183, 1889.
Ch. 120 (Appleton), am. by ch. 466, 1891.
Ch. 124 (Sheboygan), am. by ch. 245, 1889; ch. 276, 1891.
Ch. 125 (Milwaukee superior court), am. by ch. 67, 1891.
Ch. 127 (Ashland), am. by ch. 403, 1887; ch. 27, 1889; ch. 103, 1891.
Ch. 128 (Reedsburg), am. by ch. 130, 1889; ch. 22, 1891.
Ch. 129 (Menomonie), rep. in part, ch 207, 1887; am. by ch. 151, 1889.
Ch. 138 (county asylums), am. by ch. 365, 1891; ch. 160, 1893.
Ch. 145 (Sparta), rep. by ch. 23, 1891.
Ch. 147 (Mauston), error in, corrected, ch. 303, 1887; am. by ch. 29, 1889.
Ch. 148 (Prescott), am. by ch. 43, 1889; ch. 147, 1891.
Ch. 157 (milk), am. by ch. 344, 1889.
Ch. 158 (trust companies), rep. by sec. 13, ch. 263, 1891.
Ch. 162 (La Crosse), am. by ch. 356, 1887; ch. 492, 1889; ch. 16, 1891; ch. 17, 1891; ch. 423, 1891.
Ch. 163 (Barron), am. by ch. 180, 1889.
Ch. 165 (Sturgeon Bay), am. by ch. 134, 1891.
Ch. 167 (second municipal court of Barron county), am. by ch. 87, 1891; ch. 92, 1893.
Ch. 168 (third municipal court, Barron county), am. by ch. 417, 1891.
Ch. 169 (drainage in Racine and Waukesha counties), am. by ch. 329, 1889.
Ch. 173 (Antigo), rep. by ch. 197, 1889.
Ch. 174 (Pittsville), am. by ch. 490, 1889.
Ch. 175 (Shawano), am. by ch. 158, 1891.
Ch. 183 (assistant district attorney), am. by ch. 94, 1893.
Ch. 192 (evidence of title by descent), am. by ch. 227, 1889.
Ch. 193 (rape), am. by ch. 368, 1889.
Ch. 202 (register of probate, Winnebago county), rep. by sec. 4, ch. 125, 1891.
Ch. 213 (plank and turnpike corporations), rep. by ch. 269, 1889.
Ch. 214 (abduction of unmarried women), am. by ch. 396, 1889.
Ch. 234 (Racine county register in probate), am. by ch. 290, 1891.
Ch. 237 (Rock county municipal court), am. by ch. 315, 1891; ch. 347, 1895.
Ch. 239 (Lincoln county municipal court), am. by ch. 71, 1891; rep. in part by ch. 65, 1893; am. by ch. 231, 1895.
Ch. 240 (deception in sale of cheese), am. by ch. 455, 1889.
Ch. 241, (mortgages of stocks in trade), am. by ch. 11, 1895.
Ch. 246 (Waupaca), am. by ch. 323, 1891.
Ch. 248 (Milwaukee), am. by ch. 498, 1887.
Ch. 250 (preservation of ballots), rep. by sec. 1, ch. 413, 1891.
Ch. 252 (Durand), am. by ch. 399, 1887; ch. 401, 1889.
Ch. 253 (dam, Wisconsin river), am. by ch. 143, 1893.
Ch. 256 (Lake Geneva), rep. in part by ch. 358, 1889.
Ch. 257 (Rice Lake), am. by ch. 47, 1889; ch. 444, 1889; ch. 44, 1891.
Ch. 259 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 269 (Madison), am. by ch. 244, 1889.
Ch. 270 (Forest county), am. by ch. 505, 1889; ch. 39, 1891.
Ch. 276, (sprinkling town roads), am. by ch. 112, 1895.
Ch. 278 (larceny), am. by ch. 43, 1893.
Ch. 283 (boards of review), rep. by ch. 138, 1889.
Ch. 285 (bridges), am. by ch. 132, 1893.
Ch. 286 (Manitowoc), rep. by sec. 1, ch 95, 1891.
Ch. 289 (St. Croix county register of probate), rep. by ch. 61, 1889.
Ch. 291 (public health), am. by ch. 270, 1893.
Ch. 297 (township system of schools), am. by ch. 292, 1889; ch. 293, 1889; ch. 215, 1893.
Ch. 304 (relief of soldiers), rep. by ch. 339, 1889.
Ch. 305 (local fire insurance companies), am. by ch. 211, 1889; ch. 296, 1891; ch. 12, 1895.
Ch. 311 (Green Bay), am. by ch. 309, 1889.
Ch. 312 (Oneida county municipal court), am. by ch. 349, 1891; rep. by sec. 17, ch. 63, 1895.
Ch. 313 (noxious weeds), am. by ch. 432, 1889.
Ch. 315 (cemeteries), am. by ch. 51, 1893.
Ch. 319 (statements for insurance companies), am. by ch. 302, 1891.
Ch. 320 (public administrators), am. by ch. 70, 1889.
Ch. 331 (Altoona), am. by ch. 387, 1887.
Ch. 348 (legislative officers), rep. by sec. 6, ch. 1, 1893.
Ch. 349 (blacklisting employes), am. by ch. 240, 1895.
Ch. 350 (elections in large cities), am. by ch. 21, 1889; rep. by sec. 127, ch. 288, 1893.
Ch. 352 (guaranty companies), am. by ch. 274, 1891; sec. 1, ch. 403, 1891.
Ch. 353 (protection of children), am. by ch. 200, 1889.
Ch. 358 (clerk for state superintendent), am. by ch. 465, 1891.
Ch. 360 (election returns), am. by ch. 308, 1889.
Ch. 366 (Neillsville), rep. in part by sec. 9, ch. 190, 1889.
Ch. 367 (law reports for circuit courts), am. by ch. 187, 1889.
Ch. 369 (support of inmates of county asylums), am. by ch. 76, 1889; ch. 139, 1889.
Ch. 370 (preservation of ballots), rep. by sec. 1, ch. 413, 1891.
Ch. 371 (condemnation of jails, etc.), rep by ch. 218, 1889.
Ch. 374 (game), am. by ch. 443, 1889; ch. 460, 1891.
Ch. 375 (fish in inland waters), am. by ch. 465, 1889; ch. 486, 1889.
Ch. 384 (platting city lands owned in severalty for purposes of taxation), am. by ch. 282, 1895.
Ch. 388 (gifts to cemetery associations), am. by ch. 22, 1893.
Ch. 393 (Dane county register of probate), am. by ch. 78, 1891.
Ch. 408 (state board of charities, etc.), rep. in part by sec. 8, ch. 221, 1891.
Ch. 409 (Berlin), am. by ch. 178, 1889; ch. 357, 1889; ch. 14, 1891.
Ch. 412 (wall-eyed pike), rep. by ch. 371, 1889.
Ch. 416 (Milwaukee), am. by sec. 2, ch. 449, 1891.
Ch. 420 (Milwaukee), am. by ch. 372, 1891.
Ch. 426 (school libraries), am. by ch. 288, 1889; ch. 46, 1895.
Ch. 432 (Stevens Point), rep. in part by sec. 10, ch. 113, 1889.
Ch. 436 (state historical society), am. by ch. 515, 1889.
Ch. 441 (lien for services of stallion), am. by ch. 468, 1889.

Ch. 442 (mechanics' liens), am. by ch. 275, 1889.
Ch. 443 (special terms of county court), am. by ch. 85, 1891.
Ch. 447 (Milwaukee), am. by ch. 25, 1889.
Ch. 450 (Milwaukee), am. by ch. 426, 1891.
Ch. 456 (fish and game), am. by ch. 414, 1889; rep. by sec. 6, ch. 436, 1891.
Ch. 458 (Kaukauna), am. by ch. 46, 1889.
Ch. 460 (pharmacy), rep. by sec. 15, ch. 227, 1895.
Ch. 462 (Milwaukee), am. by ch. 136, 1889.
Ch. 467 (municipal court for Douglas county), rep. by ch. 181, 1889.
Ch. 468 (terms of court, twelfth circuit), rep. by ch. 120, 1889.
Ch. 475 (Burnett county), rep. by ch. 467, 1889.
Ch. 476 (Milwaukee), rep. by sec. 9, ch. 422, 1891.
Ch. 495 (drainage), am. by ch. 432, 1891.
Ch. 498 (Milwaukee), am. by ch. 66, 1891.
Ch. 511 (terms of court, eleventh circuit), am. by ch. 51, 1889.
Ch. 512 (dam, Eagle river, Oneida county), am. by ch. 270, 1889.
Ch. 513 (veterans' home), am. by ch. 265, 1889; ch. 131, 1895.
Ch. 520 (fishing in Lake Michigan, etc.), am. by ch. 453, 1889; rep. in part by ch. 233, 1891; rep. in part by sec. 6, ch. 436, 1891.
Ch. 524 (Milwaukee), am. by ch. 200, 1889.
Ch. 525 (drainage in Dane county), am. by ch. 383, 1889.
Ch. 528 (Beaver Dam river), am. by ch. 439, 1889.
Ch. 530 (liens on logs, etc.), am. by ch. 145, 1889; rep. by sec. 18, ch. 413, 1889.
Ch. 534 (benevolent, etc., societies), am. by ch. 477, 1891.
Ch. 535 (mechanics' liens), am. by ch. 333, 1889.
Ch. 536 (exemptions), am. by ch. 93, 1893.
Ch. 543 (registration of electors), am. by ch 199, 1889.
Ch. 545 (Ahnapee), am. by ch. 324, 1889; ch. 145, 1891.
Ch. 551 (charitable trusts), am. by ch. 359, 1891.
Ch. 553 (register in probate, Milwaukee), am. by ch. 220, 1895.

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Ch. 12 (sewer tax, Milwaukee), am. by ch. 97, 1889.
Ch. 13 (Baraboo), am. by ch. 60, 1891.
Ch. 14 (legislative officers), rep. by sec. 6, ch. 1, 1893.
Ch. 16 (village officers), am. by ch. 269, 1891.
Ch. 19 (Milwaukee), am. by ch. 170, 1889.
Ch. 21 (elections in large cities), rep. by sec. 127, ch. 288, 1893.
Ch. 27 (Ashland), am. by ch. 410, 1889; ch. 103, 1891.
Ch. 41 (terms of court, sixteenth circuit), rep. by ch. 10, 1893.
Ch. 46 (Kaukauna), rep. by sec. 201, 1891.
Ch. 47 (Rice Lake), am. by ch. 44, 1891.
Ch. 49 (dams on Yellow river), rep. by ch. 27, 1895.
Ch. 56 (Milwaukee), am. by sec. 1, ch. 449, 1891.
Ch. 62 (elections in large cities), rep. by sec. 127, ch. 288, 1893.
Ch. 63 (Dunn county municipal court), rep. by ch. 136, 1891.
Ch. 94 (Ashland municipal court), am. by ch. 315, 1889; rep. by sec. 18, ch. 241, 1893.
Ch. 105 (county asylums), am. by ch. 252, 1893.
Ch. 107 (Shullsburg), am. by ch. 146, 1891.
Ch. 109 (copyists for legislature), rep. by sec. 6, ch. 1, 1893.
Ch. 113 (Stevens Point), am. by ch. 38, 1891.
Ch. 115 (Green Bay), am. by ch. 20, 1891.
Ch. 134 (Onalaska), am. by ch. 305, 1891; ch. 317, 1891.
Ch. 144 (state public school), am. by ch. 259, 1891.
Ch. 150 (Wausau), am. by ch. 195, 1889.
Ch. 152 (Superior), rep. by ch. 124, 1891.
Ch. 165 (supervisors in Milwaukee county), am. by ch. 103, 1895.
Ch. 177 (Chippewa Falls), am. by ch. 337, 1891.
Ch. 181 (Douglas county municipal court), am. by ch. 61, 1891.
Ch. 183 (Marinette), am. by ch. 384, 1889; ch. 162, 1891.
Ch. 184 (Eau Claire), am. by ch. 481, 1891.
Ch. 186 (interest on foreclosure judgments), am. by ch. 303, 1891.
Ch. 197 (Antigo), am. by ch. 163, 1891.
Ch. 204 (town insurance companies), am. by ch. 227, 1893.
Ch. 211 (mutual fire insurance companies), am. by ch. 296, 1891.
Ch. 212 (town insurance companies), am. by ch. 314, 1891.
Ch. 214 (register of probate, Winnebago county), rep. by sec. 4, ch. 125, 1891.
Ch. 215 (jurisdiction over St. Croix river), am. by ch. 478, 1891.
Ch. 216 (Dodgeville), am. by ch. 391, 1891.
Ch. 224 (Milwaukee), am. by ch. 312, 1891.
Ch. 227 (evidence of title by descent), am by ch. 28, 1893.
Ch. 231 (Milwaukee), rep. by sec. 9, ch. 122, 1891.
Ch. 236 (dam, Wisconsin river, Wood county), am. by ch. 209, 1893.
Ch. 243 (agricultural societies), am. by ch. 250, 1893.
Ch. 244 (Madison), am. by ch. 319, 1891.
Ch. 245 (Sheboygan), am. by ch. 276, 1891.
Ch. 248 (elections—Cooper law), am. by ch. 404, 1889; rep. by sec. 42, ch. 379, 1891.
Ch. 251 (fraud on hotels, etc.), am. by ch 106, 1895.
Ch. 253 (town insurance companies), am. by ch. 66, 1893.
Ch. 260 (testimony in county courts), rep. by ch. 341, 1891.
Ch. 265 (veterans' home), am. by ch. 131, 1895.
Ch. 271 (married women's property rights), am. by ch. 376, 1891.
Ch. 272 (flags for school houses), am. by ch. 95, 1895.
Ch. 279 (interest on loans of trust funds), am. by ch. 143, 1891.
Ch. 281 (deputy railroad commissioner), am. by ch. 31, 1895; re-enacted, ch. 88, 1895.
Ch. 288 (school libraries), am. by ch. 47, 1895.
Ch. 291 (Walworth county register of probate), am. by ch. 76, 1895.
Ch. 300 (booms, etc., in Wolf river), rep. by ch. 15, 1893.
Ch. 307 (acquirement of toll roads by municipalities), am. by ch. 142, 1895.
Ch. 314 (Dunn county), rep. by ch. 333, 1891.
Ch. 315 (municipal court, city and county of Ashland), rep. by sec. 18, ch. 241, 1893.
Ch. 326 (general city charter), am. by ch 312, 1893; ch. 97, 1895; ch. 141, 1895; sec. 2, ch. 176, 1895; ch. 199, 1895; ch. 200, 1895; ch. 236, 1895; ch. 245, 1895; ch. 294, 1895; ch. 316, 1895; ch. 320, 1895; ch. 322, 1895.

Ch. 328 (firemen's relief associations), am. by ch. 163, 1895.
Ch. 330 (county asylum, Milwaukee), am. by ch. 130, 1895.
Ch. 332 (New Lisbon), am. by ch. 86, 1891.
Ch. 333 (subcontractors' liens), am. by ch. 321, 1891.
Ch. 336 (preservation of ballots), rep. by sec. 1, ch. 413, 1891.
Ch. 339 (relief of soldiers), am. by ch. 250, 1891; ch. 188, 1895; ch. 297, 1895; ch. 351, 1895.
Ch. 350 (terms of court, eighth circuit), am. by ch. 326, 1891.
Ch. 353 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 368 (rape), am. by ch. 350, 1891.
Ch. 373 (railroad maps), am. by ch. 256, 1891.
Ch. 382 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 383 (Dane county drainage), am. by ch. 9, 1891; rep. with a proviso by sec. 3, ch. 142, 1893.
Ch. 384 (Marinette), am. by ch. 162, 1891.
Ch. 385 (discharge of insolvent debtors), am. by ch. 83, 1891.
Ch. 399 (liens), am. by sec. 1, ch. 256, 1893.
Ch. 402 (temporary highways), am. by ch. 277, 1895.
Ch. 404 (defects in recorded instruments), am. by ch. 288, 1891.
Ch. 413 (liens on logs, etc.), rep. in part by sec. 9, ch. 139, 1891.
Ch. 414 (game and fish), rep. in part by sec. 6, ch. 436, 1891.
Ch. 432 (noxious weeds), am. by ch. 217, 1891; ch. 145, 1893.
Ch. 437 (Milwaukee), am. by sec. 1, ch. 449, 1891.
Ch. 438 (railroads and their employes), rep. by sec. 2, ch. 220, 1893.
Ch. 442 (elections in Milwaukee), rep. by sec. 127, ch. 288, 1893.
Ch. 443 (game), rep. in part by ch. 203, 1891; sec. 7, ch. 351, 1891.
Ch. 450 (Milwaukee), am. by ch. 82, 1891; sec. 1, ch. 449, 1891.
Ch. 452 (dairy and food commissioner), am. by ch. 109, 1893.
Ch. 453 (fish), rep. in part by ch. 291, 1891.
Ch. 454 (liens on logs, etc.), rep. by sec. 9, ch. 139, 1891.
Ch. 455 (cheese), rep. by ch. 264, 1891.
Ch. 460 (plats in Milwaukee county), am. by ch. 161, 1893.
Ch. 462 (bridge across Wisconsin river), rep. by ch. 239, 1891.
Ch. 464 (division of towns), rep. by ch. 406, 1891.
Ch. 466 (free high schools), am. by ch. 332, 1891.
Ch. 468 (lien on progeny of animals), am. by ch. 383, 1891.
Ch. 475 (election tickets in Milwaukee), rep. by sec. 127, ch. 288, 1893.
Ch. 477 (fishways in Rock river), am. by ch. 345, 1891.
Ch. 486 (fish), rep. by sec. 13, ch. 307, 1893.
Ch. 492 (La Crosse), am. by ch. 16, 1891; ch. 17, 1891.
Ch. 493 (petit jurors), am. by ch. 201, 1891; sec. 1, ch. 127, 1895.
Ch. 494 (ballot law), rep. by sec. 42, ch. 379, 1891.
Ch. 496 (testimony in county courts), am. by ch. 341, 1891; ch. 171, 1893.
Ch. 500 (legislative copyists), rep. by sec. 6, ch. 1, 1893.
Ch. 505 (Forest county), am. by sec. 2, ch. 39, 1891.
Ch. 507 (elections), am. by sec. 2, ch. 413, 1891.
Ch. 508 (county tax for bridges), am. by ch. 180, 1895.
Ch. 509 (steam engines on highways), am. by ch. 367, 1891.
Ch. 519 (compulsory education), rep. by ch. 4, 1891.
Ch. 521 (excise), am. by ch. 327, 1891.
Ch. 522 (assembly stationery clerk), am. by ch. 48, 1891; ch. 385, 1891; rep. by sec. 6, ch. 1, 1893.
Ch. 523 (banks), am. by ch. 329, 1891.
Ch. 525 (building and loan associations), am. by ch. 469, 1891.
Ch. 526 (reports of state officers, etc.), am. by ch. 249, 1891; secs. 1, 2, ch. 239, 1895.
Ch. 527 (Portage), am. by ch. 129, 1891.
Ch. 528 (Milwaukee), am. by ch. 141, 1891.

1891.

Ch. 3 (official state paper), am. by ch. 1, 1895.
Ch. 9 (Dane county drainage), rep. by sec. 3, ch. 142, 1893.
Ch. 27 (guardians and wards), am. by ch. 287, 1893.
Ch. 29 (university fund income), am. by sec. 2, ch. 241, 1895.
Ch. 61 (superior court, Douglas county), am. by ch. 112, 1893.
Ch. 71 (municipal court, Lincoln county), am. by ch. 231, 1895.
Ch. 85 (certain county courts), am. by ch. 131, 1893.
Ch. 96 (Langlade county municipal court), am. by ch. 278, 1891.
Ch. 125 (register of probate, Winnebago county), am. by ch. 79, 1895.
Ch. 139 (liens on logs, etc.), am. by ch. 72, 1895.
Ch. 149 (dam on Spring brook), rep. by ch. 28, 1895.
Ch. 164 (terms of court, fifteenth circuit), am. by ch. 224, 1895.
Ch. 178 (elections in large cities), rep. by sec. 127, ch. 288, 1893.
Ch. 184 (Milwaukee county court), am. by ch. 86, 1893.
Ch. 202 (drainage in Waukesha and Racine counties), am. by ch. 193, 1893.
Ch. 205 (purchase of annotated statutes), am. by ch. 53, 1893.
Ch. 215 (booming logs at Beef slough), am. by ch. 125, 1893.
Ch. 221 (state board of control), am. by ch. 279, 1893; sec. 3, ch. 138, 1895; rep. by sec. 9, ch. 202, 1895.
Ch. 223 (Milwaukee), am. by ch. 411, 1891.
Ch. 228 (Milwaukee municipal court), rep. by sec. 10, ch. 7, 1895.
Ch. 245 (commitment of dependent children), am. by ch. 267, 1895.
Ch. 249 (printing transactions of societies), am. by sec. 3, ch. 339, 1895.
Ch. 250 (soldiers' relief commission), am. by ch. 188, 1895.
Ch. 263 (trust companies), am. by ch. 425, 1891; ch. 160, 1895.
Ch. 265 (Milwaukee municipal court), rep. by sec. 10, ch. 7, 1895.
Ch. 268 (insurance of church property), am. by ch. 74, 1893; ch. 181, 1895.
Ch. 280 (labels or trade marks), see ch. 14, 1893; ch. 104, 1893.
Ch. 282 (railroads underground), rep. by ch. 119, 1893.
Ch. 288 (defects in recorded instruments), am. by ch. 26, 1893.
Ch. 290 (register of probate, Racine county), am. by ch. 111, 1895.
Ch. 294 (Milwaukee municipal court), rep. by sec. 10, ch. 7, 1895.
Ch. 296 (local insurance companies), am. by ch. 12, 1895.

Ch. 309 (public documents), am. by ch. 281, 1893; rep. by sec. 3, ch. 263, 1895.
Ch. 325 (accommodations for Milwaukee superior court), am. by ch. 96, 1895.
Ch. 338 (municipal court, Milwaukee), am. by sec. 3, ch. 257, 1893; rep. by sec. 10, ch. 7, 1895.
Ch. 344 (national guard), rep. by sec. 74, ch. 292, 1893.
Ch. 349 (municipal court, Oneida county), rep. by sec. 17, ch. 63, 1895.
Ch. 357 (jurisdiction of Portage county court), rep. in part by ch. 191, 1895.
Ch. 359 (charitable trusts), am. by ch. 102, 1893.
Ch. 361 (exemption from taxation), am. by ch. 182, 1893.
Ch. 374 (register of deeds' fees in Milwaukee county), am. by ch. 295, 1893.
Ch. 377 (holidays in eleventh circuit), rep. by ch. 69, 1893.
Ch. 379 (ballot law), am. by ch. 44, 1893.
Ch. 385 (legislative employes), rep. by sec. 6, ch. 1, 1893.
Ch. 389 (state school tax), am. by ch. 229, 1893; ch. 39, 1895.
Ch. 402 (sixth normal school), rep. by sec. 4, ch. 185, 1893.
Ch. 417 (third municipal court, Barron county), am. by ch. 91, 1893.
Ch. 418 (mutual, etc., corporations, etc.), am. by ch. 175, 1895.
Ch. 422 (license fee of booming, etc., corporations, etc.), rep. by sec. 5, ch. 260, 1893.
Ch. 425 (trust, etc., companies), am. by ch. 160, 1895.
Ch. 433 (world's fair), am. by ch. 140, 1893.
Ch. 436 (fish and game warden), am. by ch. 237, 1893.
Ch. 439 (primaries in Milwaukee county), rep. by ch. 7, 1893; sec. 127, ch. 288, 1893.
Ch. 443 (sale of goods, etc.), am. by ch. 71, 1895.
Ch. 448 (fishways, Dunn county), am. by ch. 306, 1893.
Ch. 461 (deposits of county funds), see ch. 259, 1893.
Ch. 464 (village streets), rep. by sec. 1, ch. 255, 1895.
Ch. 473 (assessment of personal property), am. by ch. 179, 1893.
Ch. 475 (legislative employes), rep by sec. 6, ch. 1, 1893.
Ch. 478 (St. Croix river), am. by ch. 352, 1895.

1893.

Ch. 1, (legislative employes), rep. by sec. 5, ch. 300, 1895.
Ch. 2 (terms of court, ninth circuit), am. by ch. 83, 1895.
Ch. 2 (terms of court, sixth circuit), am. by ch. 137, 1893; rep. in part by ch. 178, 1895.
Ch. 8 (Iron county), am. by ch. 90, 1893.
Ch. 10 (terms of court, sixteenth circuit), rep. by sec. 2, ch. 108, 1895.
Ch. 14 (labels or trade marks), see ch. 104, 1893.
Ch. 33 (Douglas county superior court), am. by ch. 301, 1893; ch. 324, 1895; ch. 371, 1895.
Ch. 54 (state historical society), am. by ch. 179, 1895.
Ch. 60 (venue of actions for trespass upon public lands), am. by ch. 34, 1895.
Ch. 65 (municipal court, Lincoln county), am. by ch. 231, 1895.
Ch. 83 (uniformity of legislation), rep. by sec. 3, ch. 239, 1895.
Ch. 87 (days of grace), am. by ch. 246, 1893.
Ch. 94 (district attorney, Milwaukee), am. by ch. 274, 1895.
Ch. 101 (labels, trademarks, etc.), rep. by sec. 4, ch. 151, 1895.
Ch. 112 (municipal court, Douglas county), am. by ch. 278, 1895.
Ch. 117 (state horticultural society), rep. by ch. 148, 1895.
Ch. 137 (terms of court, sixth circuit), rep. by ch. 178, 1895.
Ch. 143 (dam, etc., Wisconsin river, Lincoln county), am. by ch. 272, 1895.
Ch. 145 (noxious weeds), am. by ch. 154, 1895.
Ch. 172 (Washburn county), rep. in part by ch. 213, 1895.
Ch. 185 (state tax for normal school fund income), am. by sec. 2, ch. 91; 1895.
Ch. 210 (dam, Wisconsin river), am. by ch. 82, 1895.
Ch. 214 (annexation of territory to cities), rep. by sec. 3, ch. 245, 1895.
Ch. 229 (distribution of school tax), am. by ch. 39, 1895.
Ch. 255 (sewerage, Milwaukee county), am. by ch. 225, 1895.
Ch. 257 (Milwaukee municipal court), rep. by sec. 10, ch. 7, 1895.
Ch. 259 (county and city depositories), am. by ch. 35, 1895; ch. 75, 1895.
Ch. 262 (city bonds), am. by ch. 307, 1895.
Ch. 265 (canal connecting Hemlock creek with Cranberry creek), am. by ch. 80 1895.
Ch. 274 (bonds of villages), am. by ch. 319, 1895.
Ch. 279 (state board of control), rep. by sec. 9, ch. 202, 1895.
Ch. 284 (highway taxes), am. by ch. 385, 1895.
Ch. 288 (elections), am. by ch. 304, 1895; ch. 322, 1895.
Ch. 292 (national guard), am. by ch. 181, 1895; sec. 6, ch. 365, 1895.
Ch. 312 (general city charter), am. by ch. 62, 1895; ch. 183, 1895; ch. 199, 1895; ch. 200, 1895; ch. 236, 1895; ch. 294, 1895; ch. 316, 1895; ch. 320, 1895.

1895.

Ch. 7 (Milwaukee police court), am. by ch. 8, 1895.
Ch. 19 (assessment of steamboats, etc.), am. by ch. 283, 1895.
Ch. 25 (attorneys), see ch. 150, 1895.
Ch. 31 (deputy railroad commissioner), see ch. 88, 1895.
Ch. 102 (firemen's relief associations), see ch. 163, 1895.

APPENDIX C.

Private and Local Laws Expressly Amended or Repealed by the Legislation of 1879–1895, inclusive.

1852.

Ch. 221 (Wisconsin Baptist state convention), am. by ch. 253, 1885.

1853.

Ch. 30 (charter Wisconsin river improvement company), am. by ch. 292, 1880; ch 196, 1891; ch. 13, 1887; ch. 194, 1895.
Ch. 152 (dam across Wisconsin river), am. by ch. 32, 1889.

1854.

Ch. 166 (charter of the German and English academy in Milwaukee), am. by ch. 61, 1880
Ch. 168 (secs. 1, 2, 3), flume in second ward of Milwaukee), rep. by ch. 224, 1879.
Ch. 280 (Sheboygan Falls), am. by ch. 144, 1887.
Ch. 296 (Galesville university), am. by ch. 112, 1882.

1855.

Ch. 40 (Ripon college), am. by ch. 27, 1893.
Ch. 63 (Milwaukee college), conditionally, rep. by sec. 4, ch. 383, 1895.
Ch. 80 (charter of Milwaukee mechanics' mutual insurance company), am. by ch. 111, 1880.
Ch. 171 (Janesville manufacturing and hydraulic company), am. by sec. 8, ch. 164, 1887; ch. 298, 1887.
Ch. 318 (Milwaukee house of correction), am. by ch. 249, 1880.

1856.

Ch. 30 (incorporating Mayville union school district), am. by ch. 24, 1881; ch. 201, 1895.
Ch. 160 (charter of Evansville seminary), am. by sec. 4, ch. 133, 1880.
Ch. 294 (Nekoosa lumbering company), am. by ch. 53, 1889.
Ch. 392 (Milwaukee and Northern plank road company), am. by ch. 166, 1893.
Ch. 504 (Peshtigo lumbering and manufacturing company), am. by ch. 13, 1882.

1857.

Ch. 129 (mutual life insurance company of Wisconsin), am. by ch. 190, 1885; ch. 328, 1887.
Ch. 133 (Kenosha), am. by ch. 121, 1885; ch. 255, 1891.
Ch. 170 (charter of Yellow river improvement company), am. by sec. 1, ch. 165, 1879.
Ch. 242 (Janesville fire department), rep. by ch. 149, 1889.
Ch. 339 (charter of Janesville), rep. by ch. 221, 1882.

1858.

Ch. 28 (Norwegian evangelical Lutheran synod), am. by ch. 34, 1893.
Ch. 48 (charter of village of Monroe), and all amendatory acts rep. by sec. 105, ch. 238, 1882.
Ch. 50 (Janesville fire department), rep. by ch. 149, 1889.
Ch. 72 (charter of Ripon), am. by ch. 72, 1880; ch. 286, 1880; ch. 81, 1885.

1859.

Ch. 58 (charter of Madison gymnastic association), am. by ch. 73, 1880.
Ch. 95 (charter of Ripon), am. by ch. 81, 1881

1860.

Ch. 56 (sec. 1), (annual school meeting in district No. 4, East Troy), rep. by ch. 64, 1893.
Ch. 63 (Milwaukee & Cedarburg plank road company), am. by ch. 389, 1889.

1861.

Ch. 63 (Platteville village charter), rep. by ch. 83, 1880.

1862.

Ch. 32 (dam, Oconto river), am. by ch. 190, 1893.
Ch. 132 (plat of La Crosse), rep. in part by ch. 453, 1885.
Ch. 149 (tax sales, etc., in Columbia county), rep. by ch. 501, 1889.

1863.

Ch. 322 (Portage liederkranz society), am. by ch. 164, 1889.
Ch. 330 (charter of Eau Claire Wesleyan seminary), am. by ch. 23, 1881.

1864.

Ch. 84 (charter Black river improvement company), am. by ch. 225, 1880; ch. 263, 1882.
Ch. 365 (Sturgeon Bay and Lake Michigan ship canal and harbor company), am. by ch. 29, 1882.

1865.

Ch. 178 (Wood county bridge), modified by ch. 2, 1889.
Ch. 351 (setting nets in Lake Koshkonong), rep. by sec. 2, ch. 285, 1882.

1866.

Ch. 171 (Wisconsin river improvement company), am. by ch. 196, 1891.
Ch. 180 (abstract of tax sales in Shawano county), am. by ch. 235, 1883.
Ch. 204 (De Soto union school district), am. by ch. 20, 1882.
Ch. 226 (indebtedness of town of Jefferson), am. by ch. 271, 1887.
Ch. 232 (Oshkosh and Mississippi river railroad), am. by ch. 9, 1893.
Ch. 284 (charter of Eau Claire lumber company), am. by ch. 22, 1880.
Ch. 306 (Berlin), am. by ch. 212, 1885.
Ch. 336 (school fund in Outagamie county), rep. by ch. 181, 1893.
Ch. 355 (abstract of tax sales in Columbia county), rep. by ch. 104, 1881.
Ch. 424 (dam, Wisconsin river), am. by ch. 118, 1893.
Ch. 470 (charter of Janesville), am. by ch. 159, 1880.
Ch. 492 (indebtedness of town of Jefferson), am. by ch. 271, 1887.
Ch. 504 (charter of Slavanska Lipa Association of Manitowoc), am. by ch. 261, 1885.
Ch. 512 (Grant and Richland county bridge company), am. by ch. 42, 1889.
Ch. 551 (union school district of Monroe), am. by ch. 238, 1883.

1867.

Ch. 23 (freewill Baptists), am. by ch. 28, 1891; ch. 362, 1895.
Ch. 111 (charter of Hudson), am. by ch. 257, 1881.
Ch. 178 (charter of Ripon), am. by ch. 82, 1881.
Ch. 182 (indebtedness of town of Jefferson), am. by ch. 271, 1887.
Ch. 207 (Brodhead school district), am. by ch. 16, 1883; ch. 101, 1893.
Ch. 341 (swamp lands in Manitowoc and Calumet counties), trust created by, terminated, ch. 352, 1883.
Ch. 503 (dam across Little Wolf river, Waupaca county), rep. by sec. 4, ch. 297, 1882.
Ch. 587 (dam in Little Wolf river), am. by ch. 188, 1881.

1868.

Ch. 59 (Fond du Lac charter), rep. by sec 217, ch. 240, 1879.
Ch. 67 (abstract of tax sales in Waupaca county), re-enacted, ch. 161, 1883.
Ch. 69 (Grant and Richland county bridge company), am. by ch. 42, 1889.
Ch. 76 (union school district in Beloit, etc.), am. by ch. 54, 1880.
Ch. 97 (charter of Saint Clara female academy), am. by ch. 127, 1882.
Ch. 158 (charter of chamber of commerce of Milwaukee), am. by ch. 102, 1879; ch. 150, 1880; ch. 58, 1889.
Ch. 171 (charter Wisconsin river improvement company), am. by ch. 292, 1880.
Ch. 218 (county printing in Portage county), re-enacted, ch. 213, 1881; ch. 466, 1885.
Ch. 253 (charter of Beloit), am. by ch. 78, 1881; ch. 217, 1881.
Ch. 254 (Sheboygan), am. by ch. 305, 1885; repealed, ch. 124, 1887.
Ch. 407 (funding indebtedness of the city of Kenosha), am. by ch. 172, 1880; rep. in part by ch. 84, 1885.
Ch. 430 (Apple river log driving company), rep. by ch. 72, 1885.
Ch. 500 (charter of Madison), rep. by ch. 322, 1880.

1869.

Ch. 43 (Wisconsin Odd Fellows mutual life insurance company), am. by ch. 1, 1887.
Ch. 126 (Sheboygan), rep. by ch. 124, 1887.
Ch. 243 (salary of Milwaukee supervisors), am. by ch. 104, 1882.
Ch. 247 (Grand Rapids), am. by ch. 388, 1891.
Ch. 449 (charter of Oconto), rep. by ch. 56, 1882.
Ch. 452 (Nimakogan and Totogatic dam company), repealed in part by sec. 5, ch. 43, 1885; sec. 2, ch. 74, 1885; rep. in part by ch. 344, 1887; rep. by ch. 40, 1889.
Ch. 467 (family protective association of Milwaukee), am. by ch. 304, 1883.

1870.

Ch. 72, sec. 1 (Watertown railroad debt), re-enacted, sec. 1, ch. 169, 1881.
Ch. 79 (employment of prisoners in city of Grand Rapids), am. by ch. 55, 1885.
Ch. 85 (Sheboygan mutual benevolent association), am. by ch. 300, 1885.
Ch. 104 (pier into Green Bay), am. by ch. 139, 1880.
Ch. 122 (charter of Mutual Hail Insurance Company of Wisconsin), am. by ch. 83, 1879.
Ch. 128 (ferry across St. Croix river), revived for ten years, ch. 43, 1881.
Ch. 160 (Brodhead), rep. by ch. 270, 1891.
Ch. 275 (charter of Manitowoc), am. by ch. 186, 1879; rep. by sec. 1, ch. 95, 1891.
Ch. 281 (ferry across St. Croix river), am by ch. 68, 1880.
Ch. 326 (Superior and St. Croix railroad company), am. by ch. 244, 1895.
Ch. 372 (Watertown musical society Concordia), am. by ch. 129, 1889.
Ch. 456 (Outagamie county, list of lands to be sold for taxes, and election notices), rep. by ch. 340, 1885.
Ch. 475 (sec. 1) (Wisconsin Bridge Co.), am. by ch. 10, 1879; ch. 331, 1889.
Ch. 495 (Manitowoc), rep. by sec. 1, ch 95, 1891.
Ch. 512 (Oshkosh and Mississippi river railroad company), rep. in part by ch. 290, 1891.

1871.

Ch. 19 (superintendent of poor in Iowa county), modified by ch. 231, 1882.
Ch. 45 (charter of Wausau boom company), am. by ch. 97, 1881; ch. 204, 1883.
Ch. 86 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 116 (amendment of charter of Yellow River Improvement company), am. by sec. 2, ch. 165, 1879.
Ch. 124 (Milwaukee county orphans' board), am. by ch. 272, 1891.
Ch. 146 (Lake Geneva seminary), am. by ch. 294, 1885.
Ch. 189 (order of Hermann's sons), am. by ch. 2, 1882.
Ch. 204 (charter of Watertown), am. by ch. 59, 1880.
Ch. 216 (ferry across Mississippi river), am by ch. 190, 1880; rep. by sec. 10, ch. 291, 1881.
Ch. 229 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 250 (guaranty of bonds by Chicago & Northwestern railway company), am. by ch. 159, 1882.

Ch. 328 (Superior and St. Croix railroad company), am. by ch. 244, 1895.
Ch. 337 (Prescott), rep. by ch. 148, 1887.
Ch. 359 (charter of Manitowoc), am. by ch. 309, 1882; ch. 259, 1887; rep. by sec. 1, ch. 95, 1891.
Ch. 367 (town of Grand Rapids), rep. by ch. 126, 1889.
Ch. 373 (charter of village of Winneconne), rep. by ch. 203, 1882.
Ch. 410 (Sheboygan), rep. by ch. 124, 1887.
Ch. 417 (Plymouth lyceum), am. by ch. 317, 1881.
Ch. 434 (Scandinavian brother association), am. by ch. 30, 1882.

1872.

Ch. 16 (charter of Eau Claire), am. by ch. 57, 1879; ch. 87, 1881; ch. 328, 1885.
Ch. 17 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 38 (dam, Wisconsin river), am. by ch. 213, 1893.
Ch. 53 (printing for Waupaca county), rep. by ch. 66, 1879.
Ch. 70 (compensation of county judges), rep. by ch. 96, 1885.
Ch. 81 (union school district of Monroe), am. by ch. 238, 1883.
Ch. 127 (Manitowoc), rep. by sec. 1, ch. 95, 1891.
Ch. 272 (charter of Evansville seminary), am. by ch. 133, 1880.

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